

**DAILY PROOF OF THE OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA
THIRTY-SECOND DAY'S PROCEEDINGS**

**Thirty-Sixth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Wednesday, May 26, 2010

The Senate was called to order at 2:10 o'clock P.M. by Hon. Sharon Weston Broome, President Pro Tempore of the Senate.

Morning Hour

CONVENING ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Amedee	Heitmeier	Morrell
Appel	Jackson	Mount
Broome	Kostelka	Murray
Claitor	LaFleur	Nevers
Donahue	Long	Quinn
Duplessis	Martiny	Riser
Erdey	McPherson	Shaw
Guillory	Michot	Smith
Total - 24		

ABSENT

Mr. President	Crowe	Marionneaux
Adley	Dorsey	Morrish
Alario	Gautreaux B	Peterson
Chabert	Gautreaux N	Thompson
Cheek	Hebert	Walsworth
Total - 15		

The President Pro Tempore of the Senate announced there were 24 Senators present and a quorum.

Prayer

The prayer was offered by Pastor Cliff Obih, following which the Senate joined in the Pledge of Allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Mount, the reading of the Journal was dispensed with and the Journal of May 25, 2010, was adopted.

**Privilege Report of the
Legislative Bureau**

May 26, 2010

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 7—

BY REPRESENTATIVES WADDELL, KATZ, AND LEGER
AN ACT

To enact Subpart AA of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.85, relative to state individual income tax return checkoffs for certain donations; to provide for a method for individuals to donate a portion of any refund due to them to the Louisiana Chapter of the National Multiple Sclerosis Society; to authorize and provide a method for the making of other donations to the National Multiple Sclerosis Society on the income tax return; to provide for the disposition of such donated monies; to establish the Louisiana Chapter of the National Multiple Sclerosis Society Fund as a special escrow fund in the state treasury; to provide for the administration and use of monies in the fund; to authorize the secretary of the Department of Revenue to make certain deposits into the fund; to provide for reporting; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 45—

BY REPRESENTATIVE LAMBERT
AN ACT

To amend and reenact R.S. 56:320(B)(3), relative to taking of crabs; to remove the requirement for a crab trap to have a float and float line if the trap is placed in certain locations of the state; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 46—

BY REPRESENTATIVE HUTTER
AN ACT

To enact R.S. 17:81(T) and 3996(B)(24), relative to instruction to students in public schools concerning dating violence; to provide applicability; to provide guidelines for such instruction; to provide an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 97—

BY REPRESENTATIVES CORTEZ, ARMES, BILLIOT, HENRY BURNS,
DIXON, DOERGE, GISCLAIR, SAM JONES, AND POPE
AN ACT

To amend and reenact R.S. 32:402.1(D), relative to driver's education; to allow for certain persons to participate in a portion of a driver's education course prior to their fifteenth birthday; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 118—

BY REPRESENTATIVE HENRY BURNS
AN ACT

To amend and reenact R.S. 32:1311(B), relative to motor vehicle inspection; to exempt certain registered antique vehicles from inspection; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 152—

BY REPRESENTATIVE HARDY
AN ACT

To amend and reenact R.S. 32:415(B)(1) and 415.1(A)(1) and (C), relative to driver's license suspensions and revocations; to provide for extension of a driver's license suspension period after certain convictions; to provide for economic and medical hardship license application procedures; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 168—

BY REPRESENTATIVES HENRY BURNS, BILLIOT, CHANDLER,
EDWARDS, LEGER, RICHARD, RICHMOND, AND SMILEY
AN ACT

To amend and reenact R.S. 38:214 and 218 and to enact R.S. 48:223(G), relative to drainage obstruction; to provide for the issuance of citations; to provide for enforcement of penalties; to

provide for collection of fines; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 187—
BY REPRESENTATIVE GUILLORY
AN ACT

To amend and reenact R.S. 47:1923(D), relative to tax assessors; to provide relative to the payment of premiums for group insurance for certain retirees of the Acadia Parish Assessor's Office; to increase the years of service requirement for certain retirees; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 223—
BY REPRESENTATIVE DANAHAY
AN ACT

To amend and reenact R.S. 33:3819(I), relative to waterworks districts in Calcasieu Parish; to provide for the per diem paid to waterworks district commissioners; to authorize the parish governing authority to authorize an increase in per diem upon request from such a district; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 229—
BY REPRESENTATIVE PEARSON
A JOINT RESOLUTION

Proposing to amend Article X, Section 29(E)(5) of the Constitution of Louisiana and to add Article X, Section 29(F) of the Constitution of Louisiana, to provide relative to benefit provisions for members of public retirement systems; to require a two-thirds vote for passage of a benefit provision having an actuarial cost; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 251—
BY REPRESENTATIVE PATRICIA SMITH
AN ACT

To amend and reenact R.S. 17:21(B), relative to the state superintendent of education for public elementary and secondary education; to provide that the state superintendent shall possess certain minimum qualifications at the time of appointment by the State Board of Elementary and Secondary Education; to provide that the state board may establish additional qualifications; to provide limitations; to provide an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 252—
BY REPRESENTATIVE LORUSSO
AN ACT

To enact R.S. 47:490.22, relative to military honor license plates; to provide for the establishment of a military honor license plate for members of the Washington Artillery; to provide for the design and issuance of the license plate; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 253—
BY REPRESENTATIVES MONTOU CET AND GUILLORY AND SENATOR MORRISH
AN ACT

To enact R.S. 25:215(B)(17), relative to the Acadia Parish Library; to transfer responsibility for accounting and management of library funds to the Acadia Parish Library Board of Control; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 388—
BY REPRESENTATIVE PATRICIA SMITH
AN ACT

To amend and reenact R.S. 17:3973(4) and 3997(B)(1) and (E), relative to teachers transferring to a charter school from a city, parish, or other local public school system; to provide relative to certain leaves of absence for such teachers; to provide definitions; to provide effectiveness; to provide guidelines relative to the transfer of an employee of a city, parish, or other local public school system to a Type 4 charter school; to provide an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 413—
BY REPRESENTATIVE BARROW
AN ACT

To amend and reenact R.S. 33:405(C), relative to meetings of the board of aldermen in a Lawrason Act municipality; to remove prohibitions on business discussed at special meetings; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 437—
BY REPRESENTATIVE RICHARDSON
AN ACT

To amend and reenact R.S. 43:144, relative to the publication of official proceedings of certain political subdivisions; to provide a deadline by which such official proceedings shall be prepared and recorded in the official journal of the entity; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 438—
BY REPRESENTATIVE PEARSON
AN ACT

To enact R.S. 33:2956, relative to investments of foundations and similar entities created by the governing bodies of hospital service districts; to authorize and provide relative to investments of such entities; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 443—
BY REPRESENTATIVE HUTTER
AN ACT

To repeal R.S. 17:1994(B)(15), (33), (34), and (41); to repeal provisions designating the Jefferson, Sidney N. Collier, Slidell, and West Jefferson campuses as part of the Louisiana Technical College; to provide relative to the transfer of certain programs, courses of study, funds, facilities, property, obligations, and functions; to provide an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 485—
BY REPRESENTATIVE BILLIOT
AN ACT

To amend and reenact R.S. 38:301.1(A), relative to elevation reports; to require that levee elevation reports indicate the elevation based on the North American Vertical Datum of 1988; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 494—
BY REPRESENTATIVE BILLIOT
AN ACT

To amend and reenact R.S. 38:301(E)(1) and to enact R.S. 38:301(A)(4) and (F), relative to bicycle paths and walkways adjacent to flood control levees or structures; to authorize public use of property along or adjacent to any flood control levee or structure for recreational purposes; to authorize construction or

permit bicycle paths and walkways; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 519—

BY REPRESENTATIVES CORTEZ, BOBBY BADON, BARROW, HENRY BURNS, TIM BURNS, CARTER, CONNICK, GISCLAIR, HARDY, MICHAEL JACKSON, KLECKLEY, LANDRY, LORUSSO, PEARSON, ROBIDEAUX, JANE SMITH, PATRICIA SMITH, AND TUCKER
AN ACT

To amend and reenact R.S. 11:710, relative to reemployment of retirees in the Teachers' Retirement System of Louisiana; to prohibit retirees reemployed in certain positions from receiving benefits during the period of reemployment; to provide relative to contributions during such period; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 545—

BY REPRESENTATIVES BALDONE, BILLIOT, GISCLAIR, HENDERSON, AND SAM JONES
AN ACT

To amend and reenact R.S. 56:325.3(A)(1), relative to commercial taking of spotted sea trout; to provide that the open season for such taking shall close each year when the maximum annual quota is reached; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 569—

BY REPRESENTATIVES CARMODY AND HAZEL
AN ACT

To amend and reenact R.S. 56:116.1(B)(10) and (D), relative to hunting; to provide for times, places, and methods of taking outlaw quadrupeds, nutria, and beaver; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 580—

BY REPRESENTATIVE PATRICIA SMITH
AN ACT

To amend and reenact R.S. 17:1945(A) and (B), relative to special schools for students with exceptionalities; to provide for a designation for certain special schools under the jurisdiction of the State Board of Elementary and Secondary Education; to authorize such schools to share services and functions under certain conditions; to allow for the enrollment in such schools of children with orthopedic impairments under certain circumstances; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 583—

BY REPRESENTATIVES EDWARDS, ANDERS, ARMES, ARNOLD, AUSTIN BADON, BALDONE, BARROW, BILLIOT, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CONNICK, CORTEZ, CROMER, DIXON, DOERGE, DOVE, ELLINGTON, FANNIN, GALLOT, GISCLAIR, GUINN, HARDY, HARRISON, HENDERSON, HENRY, HINES, HUTTER, GIROD JACKSON, SAM JONES, KATZ, LABRUZZO, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MILLS, MONTOU CET, PONTI, PUGH, RICHARD, RICHMOND, ROBIDEAUX, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, THIBAUT, TUCKER, WADDELL, WILLIAMS, WILLMOTT, AND WOOTON
AN ACT

To enact R.S. 46:121(4), 122(B)(5), and 123(L), relative to Louisiana Military Family Assistance; to provide for definitions; to provide for uses of the Louisiana Military Family Assistance Fund; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 584—

BY REPRESENTATIVE MILLS
AN ACT

To amend and reenact R.S. 32:300.3(D), relative to motor vehicles; to limit liability of law enforcement agencies involved in funeral processions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 585—

BY REPRESENTATIVE PERRY
AN ACT

To amend and reenact R.S. 48:231(A) and (B)(1), relative to the highway priority construction program; to provide for scheduling of public hearings; to provide for notice requirements; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 594—

BY REPRESENTATIVE BILLIOT
AN ACT

To amend and reenact R.S. 32:232.1, relative to inoperative traffic signals; to provide for procedures for the operator of a motor vehicle to follow when a traffic signal is inoperative at an intersection; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 597—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 56:322.2(A) and (D)(2), to enact R.S. 56:322.2(C)(3), and to repeal R.S. 56:322.2(G) and (I), relative to commercial take of shad and skipjack; to authorize nighttime taking of shad and skipjack in Iberville Parish and the Atchafalaya Basin; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 618—

BY REPRESENTATIVE PEARSON
AN ACT

To amend and reenact R.S. 33:4713, relative to expenses of certain local government officials; provides with respect to the payment of monies owed the parish governing authority by certain tax recipient bodies; to authorize the retention of tax revenues under certain circumstances; to require the remittance of tax revenues by the sheriff to the parish governing authority; to provide for certain time limitations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 639—

BY REPRESENTATIVE HAZEL
AN ACT

To amend and reenact R.S. 18:1284(C) and 1285(A)(1), relative to tax elections called by political subdivisions; to provide requirements for tax propositions; to provide requirements for notice of tax elections; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 641—

BY REPRESENTATIVES HENDERSON AND HUTTER
AN ACT

To repeal R.S. 56:431.1(D), relative to permits for devices to protect oysters from predation; to remove the date after which such permits may not be granted by the Department of Wildlife and Fisheries; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 642—
BY REPRESENTATIVES HENDERSON AND HUTTER
AN ACT
To amend and reenact R.S. 56:421(B)(introductory paragraph) and to enact R.S. 56:421(B)(14), relative to the Louisiana Oyster Task Force; to add a member to the task force; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 644—
BY REPRESENTATIVES HENDERSON AND HUTTER
AN ACT
To provide for the designation of an area of the public oyster seed grounds for relocation of certain leases; to provide for the leases eligible for such relocation; to provide for restrictions on such leases; to provide for administration of the relocation; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 683—
BY REPRESENTATIVES BARROW AND RICHARDSON
AN ACT
To enact R.S. 33:9097.8, relative to the Park Forest East Crime Prevention and Improvement District in East Baton Rouge Parish; to create the district; to provide for the boundaries and governance of the district; to provide for the powers and duties of the district; to provide for the levy of a parcel fee within the district; to provide for the management of the funds of the district; to provide for dissolution of the district; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 692—
BY REPRESENTATIVES WOOTON AND HUTTER
AN ACT
To amend and reenact R.S. 56:426(D), relative to recordation of oyster leases; to extend the time within which a lease renewal must be recorded; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 693—
BY REPRESENTATIVES WOOTON AND HUTTER
AN ACT
To amend and reenact R.S. 40:5.3.1, relative to oyster harvest and production; to require the Department of Health and Hospitals to notify oyster harvesters and dealers of a possible state exemption from the National Shellfish Sanitation Program's Vibrio management plan; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 695—
BY REPRESENTATIVES WOOTON, HARRISON, AND HUTTER
AN ACT
To enact R.S. 56:437, relative to the sale of oysters; to authorize the sale for raw consumption of oysters which have been harvested from Louisiana waters; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 712—
BY REPRESENTATIVES WOOTON AND HUTTER
AN ACT
To amend and reenact R.S. 56:434(G) and to enact R.S.56:434(H), relative to taking of seed oysters from the public seed grounds; to provide for certain restrictions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 745—
BY REPRESENTATIVE WHITE
AN ACT
To amend and reenact R.S. 17:66(A)(2) and to enact R.S. 41:904, relative to certain school systems in East Baton Rouge Parish; to provide for the transfer of certain sixteenth section lands between the East Baton Rouge Parish School System and the Central Community School System; to provide relative to the geographic boundaries of the Central Community School System; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 862—
BY REPRESENTATIVE CORTEZ
AN ACT
To authorize and provide for the transfer or lease of certain state property in Lafayette Parish to the Lafayette Parish Consolidated Government from the Department of Transportation and Development and division of administration; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 875—
BY REPRESENTATIVES HARRISON, BOBBY BADON, BALDONE, BILLIOT, HENRY BURNS, CARMODY, CHAMPAGNE, CROMER, DOVE, EDWARDS, FOIL, GISCLAIR, GUINN, HARDY, HENDERSON, HOWARD, SAM JONES, LAMBERT, LEGER, LITTLE, LOPINTO, LORUSSO, RICHARD, SIMON, JANE SMITH, ST. GERMAIN, STIAES, TEMPLET, TUCKER, WILLIAMS, AND WOOTON AND SENATOR N. GAUTREUX
AN ACT
To amend and reenact R.S. 56:10(B)(1)(b) and 578.12(B) and to enact R.S. 36:610(B)(11) and R.S. 56:494, relative to shrimp; to create the Louisiana Shrimp Task Force within the Department of Wildlife and Fisheries; to provide for its membership; to provide for its powers, duties, functions, and responsibilities; to provide relative to funding; to provide relative to the Shrimp Marketing and Promotion Account and the Shrimp Trade Petition Account; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 878—
BY REPRESENTATIVES ST. GERMAIN, DOVE, AND HARRISON AND SENATOR N. GAUTREUX
AN ACT
To amend and reenact R.S. 56:104(A)(9) and 302.1(H), relative to issuance of hunting and fishing licenses; to provide for the issuance of such licenses at resident rates to nonresident students enrolled full-time in Louisiana colleges and universities; to remove the requirement that such issuance shall only be to a student from a state that provides the same reduced-rate option to Louisiana students enrolled in a college or university in that state; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 881—
BY REPRESENTATIVES ST. GERMAIN AND DOVE AND SENATOR N. GAUTREUX
AN ACT
To amend and reenact R.S. 56:23, relative to penalties for wildlife and fishery violations; to provide for penalties for violations of certain wildlife and fishery provisions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 882—
BY REPRESENTATIVES ST. GERMAIN, DOVE, AND HARRISON AND SENATOR N. GAUTREUX
AN ACT
To enact R.S. 48:757(A)(1)(d), relative to off-system work by the Department of Transportation and Development; to authorize the department to construct, maintain, and improve roads in wildlife management areas of the state and refuges, and other

lands owned by the Department of Wildlife and Fisheries; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 884—
BY REPRESENTATIVES ST. GERMAIN, DOVE, AND HARRISON AND
SENATOR N. GAUTREAUX
AN ACT

To amend and reenact R.S. 56:699.5, relative to hunter education; to provide for exceptions to the requirement for hunter education; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 887—
BY REPRESENTATIVES ST. GERMAIN, BALDONE, AND DOVE AND
SENATOR N. GAUTREAUX
AN ACT

To amend and reenact R.S. 56:325.4(D), relative to finfish; to provide relative to submission of stock assessment reports; to authorize the development of stock management regimes for black drum, flounder, and sheephead for approval by the Wildlife and Fisheries Commission; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 888—
BY REPRESENTATIVES ST. GERMAIN AND DOVE AND SENATOR N.
GAUTREAUX
AN ACT

To amend and reenact R.S. 56:325.2(A) and 326(E)(1)(a), relative to finfish; to provide for identification of certain saltwater finfish; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 890—
BY REPRESENTATIVES HARRISON, BOBBY BADON, BILLIOT, HENRY
BURNS, CHAMPAGNE, DOVE, FOIL, GISCLAIR, GUINN, HENDERSON,
LAMBERT, LITTLE, ST. GERMAIN, AND WILLIAMS AND SENATORS
B. GAUTREAUX AND N. GAUTREAUX
AN ACT

To enact R.S. 56:578.15, relative to a state certification program for Louisiana wild fish; to authorize the secretary of the Department of Wildlife and Fisheries to establish such program; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 895—
BY REPRESENTATIVE MORRIS
AN ACT

To amend and reenact R.S. 30:2344(D), to enact R.S. 30:2344(E) and (F), and to repeal R.S. 30:2345, relative to asbestos abatement in schools; to provide for asbestos abatement; to provide for the methods of abatement; to repeal the Louisiana School Asbestos Abatement Commission; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 915—
BY REPRESENTATIVE RICHARDSON
AN ACT

To amend and reenact R.S. 13:2571(A) and (B), relative to parking violations; to provide for the enforcement of certain ordinances; to provide with respect to municipalities having a population of twenty-five thousand or more; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 953—
BY REPRESENTATIVE LAMBERT
AN ACT

To amend and reenact R.S. 56:332(M), relative to crab fishing; to allow commercial fishermen with appropriate gear licenses to keep finfish while crabbing; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 974—
BY REPRESENTATIVE HOFFMANN
AN ACT

To amend and reenact R.S. 17:7.1(B)(3)(introductory paragraph), relative to teacher certification; to provide relative to the employment experience necessary for certain principals to be exempt from certain testing requirements relative to certification; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1004—
BY REPRESENTATIVE HARDY
AN ACT

To authorize and provide for the transfer or lease of certain state property in Lafayette Parish to the Lafayette Parish Consolidated Government from the Department of Transportation and Development; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1029—
BY REPRESENTATIVES HOFFMANN, AUSTIN BADON, BOBBY
BADON, BALDONE, BARROW, BILLIOT, BURFORD, HENRY BURNS,
TIM BURNS, CARMODY, CARTER, CHAMPAGNE, CHANEY, CONNICK,
FOIL, GISCLAIR, HARDY, HARRISON, HENRY, KATZ, LABRUZZO,
LITTLE, MONTUCET, NOWLIN, PERRY, RICHARD, SCHRODER,
SIMON, GARY SMITH, JANE SMITH, AND WOOTON
AN ACT

To amend and reenact R.S. 17:183.3(B)(2)(d), 274, 274.1, and 3996(B)(14) and to repeal R.S. 17:3996(B)(13), relative to curricula; to provide for Free Enterprise as an elective course rather than a prerequisite to high school graduation; to require inclusion of Free Enterprise instruction in the required Civics course; to provide relative to the duration and credit units of the Civics course; to provide for exceptions; to delete Free Enterprise from course requirements relative to the career major program; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1065—
BY REPRESENTATIVE LEGER
AN ACT

To amend and reenact R.S. 49:259(B), relative to the Department of Justice Legal Support Fund, to increase the maximum allowable fund balance; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1093—
BY REPRESENTATIVE FANNIN
AN ACT

To amend and reenact R.S. 17:1990(B)(1)(d), relative to the powers, duties, and functions of the Recovery School District, to require legislative approval of certain expenditures, contracts, and changes to contracts, regarding capital expenses; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1107—

BY REPRESENTATIVE JOHNSON
AN ACT

To authorize the Red River, Atchafalaya, and Bayou Beouf Levee District to exchange certain property in Avoyelles Parish with the adjacent landowners; to provide for property descriptions; to provide for reservation of mineral rights; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1180—

BY REPRESENTATIVE PATRICIA SMITH
AN ACT

To enact R.S. 17:351(D), relative to the use of state funds for computer hardware; to permit a city, parish, or other local public school board to use state funds to purchase computer hardware; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1187—

BY REPRESENTATIVE MONTOUCET
AN ACT

To enact R.S.11:1753(C) and 1923(C), relative to the Municipal Employees' Retirement System of Louisiana and the Parochial Employees' Retirement System of Louisiana; to provide with respect to membership of certain employees; to provide an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1238—

BY REPRESENTATIVE DOERGE
AN ACT

To amend and reenact R.S. 25:380.152(C)(1), relative to the governing board of the Germantown Colony Museum; to provide relative to board membership; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1265—

BY REPRESENTATIVE ARMES
AN ACT

To authorize and provide for the transfer or lease of certain state property in Vernon Parish from the Department of Transportation and Development to the Vernon Parish Police Jury; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1266—

BY REPRESENTATIVE BARRAS
AN ACT

To authorize and provide for the transfer or lease of certain state property in Iberia Parish from the division of administration to Dr. John Hebert; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1267—

BY REPRESENTATIVE BROSSETT
AN ACT

To amend and reenact R.S. 39:6(C), relative to the duties of the commissioner of administration; to require that certain information concerning state contracts be included on the state spending website; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1288—

BY REPRESENTATIVE GUINN
AN ACT

To amend and reenact R.S. 56:320(A)(1) and 322(E)(5) relative to methods of taking fish; to provide relative to the use of wire nets; to allow the use of wire nets and hoop nets for recreational fishing throughout the state; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1309—

BY REPRESENTATIVE HOWARD
AN ACT

To amend and reenact R.S. 33:3815.3(A), (B), (C), and (F) and R.S. 34:844(A) and (B), relative to drinking water protection; to prohibit certain activity in areas adjacent to drinking water intakes; to provide for restricted areas and water intake zones; to provide for the authority of waterworks districts and local political subdivisions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1311—

BY REPRESENTATIVE GUILLORY
AN ACT

To authorize and provide for the transfer or lease of certain state property in St. Landry Parish to the city of Eunice from the division of administration; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1336—

BY REPRESENTATIVE BARRAS
AN ACT

To amend and reenact R.S. 34:852.2(5), 852.3(A) as enacted by Act No. 508 of the 2009 Regular Session of the Legislature, and 852.13 and to repeal R.S. 34:852.3(A) as enacted by Act No. 319 of the 2007 Regular Session of the Legislature, relative to vessel hull identification numbers; to provide for assigning hull identification numbers to certain vessels by the Department of Wildlife and Fisheries; to provide for the authority to promulgate rules and regulations; to provide for eligibility as a manufacturer; to provide for record keeping and inspections; to provide for fees; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1346—

BY REPRESENTATIVES DOVE, BOBBY BADON, BALDONE, BILLIOT, HENRY BURNS, CHAMPAGNE, FOIL, GISCLAIR, GUINN, HARRISON, HENDERSON, SAM JONES, LAMBERT, LITTLE, MONTOUCET, RICHARD, ST. GERMAIN, WHITE, AND WOOTON
AN ACT

To amend and reenact R.S. 56:639.8(E) and (G), relative to the Artificial Reef Development Fund; to allow the monies in said fund to be used in association with the wild seafood certification program administered by the Department of Wildlife and Fisheries; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1354—

BY REPRESENTATIVE HILL
AN ACT

To amend and reenact R.S. 56:632(A), 632.5(A), and 632.7 and to enact R.S. 56:632.5.1, relative to the reptile and amphibian wholesale/retail dealer's license; to require such license for a person to possess or sell certain nonindigenous or poisonous snakes or constrictors; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1461— (Substitute for House Bill No. 230 by Representative Pearson)

BY REPRESENTATIVE PEARSON
AN ACT

To amend and reenact R.S. 11:62(4), 1141(A) and (C)(1)(a), and 1144(B)(2)(a) and to enact R.S. 11:1144(B)(4) and 1147(C)(2)(a)(iii), relative to the Louisiana School Employees' Retirement System; to provide with respect to employee contributions; to provide with respect to calculation of benefits; to provide with respect to retirement eligibility; to provide an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1466— (Substitute for House Bill No. 599 by Representative Ellington)

BY REPRESENTATIVE ELLINGTON
AN ACT

To enact R.S. 56:6(32), relative to the powers of the Wildlife and Fisheries Commission; to authorize the commission, at the request of certain governmental entities, to adopt regulations for the use of certain fishing gear for certain lakes; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ROB MARIONNEAUX
Chairman

Adoption of Legislative Bureau Report

On motion of Senator McPherson, the Bills and Joint Resolutions were read by title and passed to a third reading.

Senate Resolutions on Second Reading

SENATE RESOLUTION NO. 92—
BY SENATOR MARIONNEAUX

A RESOLUTION

To designate Saturday, May 29, 2010 as "Shady Grove High School Class of 1980 Day".

On motion of Senator Mount the resolution was read by title and returned to the Calendar, subject to call.

SENATE RESOLUTION NO. 96—
BY SENATORS PETERSON, LAFLAUR AND MORRELL

A RESOLUTION

To commend Tulane University for a tradition of academic excellence and to designate Wednesday, May 26, 2010, as "Tulane University Day at the Louisiana Senate".

On motion of Senator Mount the resolution was read by title and returned to the Calendar, subject to call.

SENATE RESOLUTION NO. 98—
BY SENATORS QUINN AND DONAHUE

A RESOLUTION

To commend Kelly Bernard on her reign as Miss Louisiana's Outstanding Teen for 2009, and to recognize Wednesday, May 26, 2010, as Miss Louisiana Organization Day at the Louisiana State Capitol.

On motion of Senator Quinn the resolution was read by title and adopted.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 25, 2010

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HB No. 107 HB No. 468 HB No. 1484

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Bills and Joint Resolutions on First Reading

HOUSE BILL NO. 107—
BY REPRESENTATIVES LOPINTO AND BROSSETT
AN ACT

To amend and reenact Code of Criminal Procedure Article 211.5(A) and (C) and to enact Code of Criminal Procedure Article 211.5(D), relative to persons with outstanding warrants for misdemeanor offenses; to provide that a law enforcement officer may either arrest or release an individual for an outstanding warrant on certain offenses; to provide for exceptions; to provide for the collection of past due court costs, fines, or fees; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

HOUSE BILL NO. 468—
BY REPRESENTATIVE HOFFMANN
AN ACT

To amend and reenact R.S. 17:46(A)(1)(b) and 1170, relative to school employees; to provide eligibility for sabbatical leaves to certain certified school nurses, audiologists, educational diagnosticians, and speech-language pathologists employed by state special schools and by city, parish, and other local public school systems; to provide for limitations on such eligibility with respect to fiscal conditions; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

HOUSE BILL NO. 1484— (Substitute for House Bill No. 503 by Representative Danahay)

BY REPRESENTATIVE DANAHAY
AN ACT

To amend and reenact R.S. 26:90(A)(5) and 286(A)(5) and to enact R.S. 26:793(A)(5), relative to homebrew beer; to provide for exceptions to the prohibitions for alcohol of high and low alcoholic content for homebrew beer; to provide for a three-day special event permit for a retail dealer to authorize homebrew on the licensed permits; to provide for purposes for which homebrew beer is authorized; to provide for limitations; to provide for definitions; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

May 26, 2010

House Bills and Joint Resolutions on Second Reading

HOUSE BILL NO. 212— BY REPRESENTATIVE WADDELL AN ACT

To enact R.S. 9:203(E)(8), relative to marriage officiants, judges, and justices of the peace; to provide for the extension of authority for certain federal judges to preside over a marriage ceremony for a particular period of time; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Judiciary A.

HOUSE BILL NO. 520— BY REPRESENTATIVE THIBAUT AN ACT

To amend and reenact R.S. 15:1096.2 and to repeal R.S. 15:1093.2, relative to the Tri-Parish Juvenile Justice District; to provide for additional purposes and authority; to authorize the board of commissioners to enter into certain cooperative endeavor agreements; to provide for the expenditure of funds and payment of costs and expenses; to repeal provisions applying the additional purposes and authority statewide; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Judiciary B.

HOUSE BILL NO. 543— BY REPRESENTATIVE BARRAS AN ACT

To repeal Part V of Chapter 3 of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:291 through 294, relative to the Iberia Parish Law Library Commission; to repeal such commission and the powers, rights, and duties of such commission; to provide for the transfer of any obligations, property, records, and employees of the commission; to provide for use of the monies of the commission; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Judiciary B.

HOUSE BILL NO. 544— BY REPRESENTATIVE PUGH AN ACT

To amend and reenact R.S. 33:3813.2(C)(2), relative to Tangipahoa Parish; to provide relative to the Tangipahoa Water District; to increase the amount of per diem paid to members of the governing board; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 849— BY REPRESENTATIVE ROY AN ACT

To enact R.S. 33:2841.1, relative to the collection of municipal taxes; to authorize the employment of private counsel or an agency to assist in the collection of delinquent taxes; to require the payment of attorney fees by a tax delinquent; to provide for the amount of the attorney fees; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1000— BY REPRESENTATIVE WADDELL AN ACT

To enact R.S. 17:3048.1(B)(5), relative to eligible schools for the use of Taylor Opportunity Program for Students Opportunity, Performance, and Honors awards; to provide relative to the use of such an award by a student to pursue specified skill or

occupational training at certain schools having a valid and current certificate of registration issued by the Louisiana State Board of Cosmetology and proprietary schools having a valid and current license issued by the Board of Regents; to provide conditions; to provide relative to award amounts at such schools; to provide limitations; to provide effectiveness; to provide an effective date; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Education.

HOUSE BILL NO. 1246— BY REPRESENTATIVES MCVEA AND BALDONE AN ACT

To enact R.S. 22:1157, relative to contracts with dental providers; to provide that no dental plan may require that a dentist provide dental health care services to a covered person at a particular fee unless such services are covered services for which benefits are paid under a contract with such dentist; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Insurance.

HOUSE BILL NO. 1264— BY REPRESENTATIVE LAFONTA AN ACT

To enact R.S. 14:56.5, relative to damage to property; to create the crime of criminal damage to historic buildings and landmarks by defacing with graffiti; to provide for penalties; to provide for definitions; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Judiciary C.

HOUSE BILL NO. 1287— BY REPRESENTATIVES LORUSSO, HENDERSON, AND HUTTER AN ACT

To enact Chapter 27 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1231 through 1237, and R.S. 36:209(Q), relative to creating the Battle of New Orleans Bicentennial Commission; to provide for membership on the commission and its operation; to provide relative to powers, duties, and activities of the commission; to provide relative to funds and property of the commission; to provide for termination of the commission; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1290— BY REPRESENTATIVE AUBERT AN ACT

To enact R.S. 33:423.20, relative to the power of an elected chief of police in certain municipalities; to provide that the police chief shall appoint, promote, discipline, and discharge police personnel subject to limitations; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1297— BY REPRESENTATIVE WHITE AN ACT

To amend and reenact R.S. 33:2476(B)(1)(b) and 2536(B)(1)(b) and to enact R.S. 33:2476(B)(1)(c) and 2536(B)(1)(c), relative to the municipal fire and police civil service; to provide relative to the qualifications of certain members appointed to municipal fire and police civil service boards; to provide that members appointed from fire and police departments shall not be required to be residents or qualified voters of the area in which they are appointed to serve or the parish in which the area is located, subject to approval of the local governing authority; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1321—
BY REPRESENTATIVE MICHAEL JACKSON
AN ACT

To enact R.S. 9:1105, relative to storage tanks; to provide for certain rights relative to the placement of certain storage tanks; to provide for an exemption; to provide for preemption; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 1334—
BY REPRESENTATIVE LAMBERT
AN ACT

To amend and reenact the heading of Subpart L of Part VII of Chapter 1 of Title 56 of the Louisiana Revised Statutes of 1950 and R.S. 56:638.1 through 638.5 and to repeal R.S. 56:57.2, as enacted by Act No. 283 of the 1987 Regular Session of the Legislature and as enacted by Act No. 891 of the 1987 Regular Session of the Legislature and R.S. 56:57.4, relative to fishery management, conservation, and sustainability; to provide that the Wildlife and Fisheries Commission is responsible for management of all fisheries in the state; to repeal the prohibition on state enforcement of federal laws relative to turtle excluder devices; to repeal the prohibition on state enforcement of federal laws relative to fish excluder devices; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Natural Resources.

HOUSE BILL NO. 1396—
BY REPRESENTATIVE BURRELL
AN ACT

To enact R.S. 17:440.1, relative to school employees; to require first aid training for public school employees; to provide for policies adopted by each city, parish, and other local public school board relative to such requirement; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Education.

HOUSE BILL NO. 1409—
BY REPRESENTATIVE GIROD JACKSON
AN ACT

To amend and reenact R.S. 33:4762(D), relative to notices for demolition or removal of buildings; to provide that notice of demolition or removal of a building is de facto proof that a building is more than fifty percent damaged; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1435—
BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact Children's Code Article 311(A)(1)(introductory paragraph) and (B)(1)(introductory paragraph), R.S. 13:1401(A)(1) and 1621(A)(3), and R.S. 46:236.2(A)(2) and (B)(2), and to repeal R.S. 13:1621(B) and (C), relative to jurisdiction; to provide for the exclusive jurisdiction of the East Baton Rouge Parish Family Court; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Judiciary A.

**House Concurrent Resolutions on
Second Reading**

HOUSE CONCURRENT RESOLUTION NO. 94—
BY REPRESENTATIVE RICHARD
A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2011 Regular Session of the Legislature of Louisiana the provisions of Part II of Chapter 11-A of Title 37 of the Louisiana Revised Statutes of 1950, relative to Direct Service Workers; to suspend the provisions of Sections 9201 through 9293 of Chapter 92 of Part I of Title 48 of the Louisiana Administrative Code, relative to the Direct Service Worker Registry; and to urge the Department of Health and Hospitals to establish a stakeholder workgroup.

The resolution was read by title and referred by the President to the Committee on Health and Welfare.

Reports of Committees

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON
INSURANCE**

Senator Troy Hebert, Chairman on behalf of the Committee on Insurance, submitted the following report:

May 26, 2010

To the President and Members of the Senate:

I am directed by your Committee on Insurance to submit the following report:

HOUSE BILL NO. 203—
BY REPRESENTATIVE TALBOT
AN ACT

To amend and reenact R.S. 22:341(C), relative to foreign and alien insurers; to provide relative to return of deposit upon withdrawal from the state; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 282—
BY REPRESENTATIVE ROY
AN ACT

To amend and reenact R.S. 9:3550(G)(3)(a)(iv) and to enact R.S. 22:887(I), relative to insurance policies and contracts; to provide relative to reinstatement of insurance policies and contracts subsequent to cancellation; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 337—
BY REPRESENTATIVE LEBAS
AN ACT

To enact R.S. 22:1856(F), relative to pharmacy claims; to provide relative to determination of processing fees on such claims; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 338—
BY REPRESENTATIVE MONICA
AN ACT

To amend and reenact R.S. 22:1806.2(7) and 1806.3(G) and to enact R.S. 22:1806.1(B)(4), relative to regulation of home service contract providers by the commissioner of insurance; to provide for definitions; to provide for exemptions; and to provide for related matters.

Reported favorably.

May 26, 2010

HOUSE BILL NO. 463—

BY REPRESENTATIVE KLECKLEY
AN ACT

To amend and reenact R.S. 22:851(A), 852(B), 853(B), 854(A), 855(A)(1), (B)(1) and (2)(a) and (b), (C), (D)(2), (G), and (H), 856(introductory paragraph), 857, 860(A) and (B)(introductory paragraph), 861(B) and (F), 862(2) and (5), 863(A), 864(B)(4), (5), and (8), and (C), 865(introductory paragraph) and (1), 866, 867, 868(A)(introductory paragraph) and (1) and (B), 871, 875 through 878, 879(introductory paragraph) and (2) and (3), 880, 882(1) through (5), 883(C)(5)(c) and (d), 884, 885(A), (C), and (D), 886, 887(A)(introductory paragraph) and (1)(b) and (2), (B), (D)(1), (E), (G)(2), and (H), and 888(B)(1) and (2), (C), (D), and (E), relative to technical recodification of certain provisions of the Louisiana Insurance Code relative to general insurance policy requirements, including correction of citations, updates of terms and language, reorganization of provisions, elimination of obsolete or ineffective provisions, and harmonizing of inconsistent provisions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 464—

BY REPRESENTATIVE KLECKLEY
AN ACT

To amend and reenact R.S. 22:272(E)(2), 971, 972(A), 973, 974, 975(A)(introductory paragraph) and (1) through (8) and (10) through (13), (B)(introductory paragraph) and (1) through (7), 976(B), 977(B), 978(A)(2) and (B), 980(B), 983, 984(A) and (B), 985, 986(A)(1) and (3)(introductory paragraph) and (B), 987, 988(I)(1)(introductory paragraph), 989, 990(B)(introductory paragraph) and (1), 992, 993, 995(C), 999(E)(2), 1000(A)(introductory paragraph), (2)(a), and (3)(c), (B), and (D), 1002, 1003(A)(1), 1004(A), 1006(C) and (E)(5), 1009(A)(7), 1015, 1023(A)(9)(b)(introductory paragraph) and (i), (B)(4)(a)(introductory paragraph) and (i), and (F)(2)(introductory paragraph) and (a), 1024(A) and (D), 1025(B), 1026(A)(4) and (B), 1027(B), 1028(A)(4), (F), and (G), 1029(D), 1030(D), 1031(B), (C), and (D), 1032(C), 1034(B)(3) and (D)(1), 1035(D), 1037(A), (B), and (C)(3), 1038(C)(1), (E), and (F), 1040(B) and (E), 1043(A)(3)(b), 1044(A)(4), 1046(F), 1049(I), 1050(H)(3), 1061(1)(a), (3), (4)(j), and (5)(e)(i), (f), and (u)(introductory paragraph) and (ii)(bb), 1062(A)(1) and (D)(3), 1066(A)(2)(c) and (B)(introductory paragraph), 1072(D)(introductory paragraph), 1077(B) and (C)(introductory paragraph) and (1), 1095(D), and 1821(F)(3), all relative to technical recodification of certain provisions of the Insurance Code relative to health and accident insurance, including correction of citations, updates of terms and language, reorganization of provisions, elimination of obsolete or ineffective provisions, harmonizing of inconsistent provisions, and standardizing of language exempting limited benefit policies or contracts from health insurance mandates; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 465—

BY REPRESENTATIVE KLECKLEY
AN ACT

To amend and reenact R.S. 22:1261, 1262, 1263(A), 1265(A)(1) and (2) and (B), 1266(A)(introductory paragraph) and (1), (D)(1), (2), (3)(a)(i), (b), (c)(i), and (d)(i) and (iii), and (4), (E)(1)(b) and (3), (I), (K), and (L), 1267(A), (B)(3), (C)(1)(g), and (D)(3), 1268(A)(introductory paragraph) and (1), 1269(A), (B)(1)(introductory paragraph) and (a) through (e), and (D), 1270(A) and (B)(1)(a) and (b), 1283(A) and (B), 1284(C), 1285, 1288(A), 1290, 1295(1)(a)(i), (c), and (e), (5), and (6)(d), 1311(A), (B), (D)(introductory paragraph) and (1) and (E), 1312, 1313(A) and (B), 1314, 1333(A) and (B)(1), (2), and (3),

1456(A) and (B)(1), 1460(G), 1466(A) and (E), 1468(C), 1470(A), 1471(B), 1472(A) and (B), 1473(A), 1474, 1479, 1482(A), and 1484(A)(1) and to repeal R.S. 22:1475(C) and (D) and 1480, all relative to technical recodification of certain provisions of the Louisiana Insurance Code relative to property insurance, including correction of citations, updates of terms and language, reorganization of provisions, elimination of obsolete or ineffective provisions, and harmonizing of inconsistent provisions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 717—

BY REPRESENTATIVE ROY
AN ACT

To amend and reenact R.S. 22:979, 1068(C)(2)(a)(iii) and (b), 1074(C)(2)(a)(iii) and (b), and 1096 and to enact R.S. 22:1068(C)(2)(c) and 1074(C)(2)(c), relative to withdrawal from health insurance markets in this state; to prohibit the increase of premiums and reduction of benefits during withdrawal; to require prior approval of the notice of withdrawal; to clarify periods of coverage during withdrawal; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 744—

BY REPRESENTATIVE ROY
AN ACT

To amend and reenact R.S. 22:1068(B)(2) and 1074(B)(2) and to enact R.S. 22:1063(C), relative to discontinuance or cancellation of health insurance coverage; to limit such discontinuance or cancellation under certain circumstances; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 821—

BY REPRESENTATIVE KLECKLEY
AN ACT

To enact R.S. 22:1016, relative to programs offered by health insurance issuers; to authorize and otherwise provide with respect to voluntary wellness or health improvement programs to be offered by such issuers; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 952—

BY REPRESENTATIVE KLECKLEY
AN ACT

To amend and reenact R.S. 22:2314(B), (C)(introductory paragraph), (1), and (2), and (D), relative to the Louisiana Citizens Property Insurance Corporation; to authorize certain activities by the corporation; to provide for policies issued by the corporation; to provide for a policy take-out program for the depopulation of Louisiana Citizens Property Insurance Corporation; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1039—

BY REPRESENTATIVE KLECKLEY
AN ACT

To amend and reenact R.S. 22:236(20), 236.3(C), 236.8(B), 237.2(12) and (15), 237.5(A)(1) and (C), 237.10(B), and 696(A), relative to mutual insurance holding companies; to provide with respect to the conversion to, demutualization of, and incorporation of a mutual insurance holding company; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1330—

BY REPRESENTATIVE LITTLE
AN ACT

To repeal R.S. 22:2297(D)(1), relative to the Louisiana Citizens Property Insurance Corporation; to repeal the requirement of maintaining separate accounts and records for the Coastal Plan and the FAIR Plan.

Reported favorably.

HOUSE BILL NO. 1331—

BY REPRESENTATIVE ELLINGTON
AN ACT

To amend and reenact R.S. 22:46(9)(b), (c), and (d) and to enact R.S. 22:420, relative to liability trust funds; to prohibit further establishment of such trust funds which are exempt from the definition of insurance; as of a certain date; to provide for the establishment of such trust funds subject to the requirements of the Insurance Code; and to provide for related matters.

Reported favorably.

Respectfully submitted,
TROY HEBERT
Chairman

**REPORT OF COMMITTEE ON
HEALTH AND WELFARE**

Senator Willie L. Mount, Chairman on behalf of the Committee on Health and Welfare, submitted the following report:

May 26, 2010

To the President and Members of the Senate:

I am directed by your Committee on Health and Welfare to submit the following report:

SENATE BILL NO. 563—

BY SENATOR CHEEK
AN ACT

To enact R.S. 46:2742(D), relative to the nursing home reimbursement methodology; to provide for certain monies collected by the Department of Health and Hospitals to be deposited into the Medicaid Trust Fund for the Elderly; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 766—

BY SENATOR MCPHERSON
AN ACT

To enact Part II of Chapter 58 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2745 and 2746, relative to reimbursement methodology for mental health services; to direct the Department of Health and Hospitals to establish a uniform reimbursement methodology for community mental health centers and community mental health clinics; to direct the department to promulgate rules and regulations relative to the uniform reimbursement methodology; and to provide for related matters.

Reported by substitute.

HOUSE BILL NO. 174—

BY REPRESENTATIVE EDWARDS
AN ACT

To enact R.S. 49:191(5)(b) and to repeal R.S. 49:191(3)(p), relative to the Department of Veterans Affairs, including provisions to provide for the re-creation of the Department of Veterans Affairs and the statutory entities made a part of the department by law; to provide for the effective termination date for all

statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 343—

BY REPRESENTATIVE WILLMOTT
AN ACT

To amend and reenact R.S. 37:935, relative to the practice of registered nursing; to provide authority for registered nurses to administer anesthetic agents through perineural catheters; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 504—

BY REPRESENTATIVE WILLMOTT
AN ACT

To amend and reenact Children's Code Articles 1152(B), (C), (D), (E), (F), and (G) and 1160 (1) and (2) and to enact Children's Code Article 1152(H), relative to safe haven infant relinquishments; to provide for instruction on safe haven relinquishment procedures for employees of designated emergency care facilities; to provide for safe haven publicity and training information requirements; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 741—

BY REPRESENTATIVE JOHNSON
AN ACT

To amend and reenact R.S. 46:236.1.4(B), relative to family and child support programs; to provide for financial institution duties; to provide for the authority of other states to place levies and liens on assets of noncustodial parents; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 813—

BY REPRESENTATIVE KATZ
AN ACT

To amend and reenact R.S. 37:1285(C), relative to the Louisiana State Board of Medical Examiners; to authorize the board to render decisions, consent orders, or other agreed orders to require a license or permit holder to pay all costs of the board proceedings, including certain ancillary expenses; to authorize the board to recover costs and attorneys' fees if the cost of board proceedings are not paid within the time specified by the board; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 865—

BY REPRESENTATIVE BURFORD
AN ACT

To enact R.S. 28:827, relative to Medicaid waiver services for active duty military and their immediate family; to provide for waiver services in certain circumstances; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 963—

BY REPRESENTATIVE KATZ
AN ACT

To enact R.S. 37:1281.1, relative to the Louisiana Medical Practice Act; to provide for a volunteer license as a category of medical licensure; to allow the waiver of fees for certain licensees; to stipulate conditions for practicing medicine under such a license; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 964—

BY REPRESENTATIVE JOHNSON
AN ACT

To amend and reenact R.S. 46:236.1.1 and to enact R.S. 46:236.1.2(L), relative to family and child support programs; to provide for medical support for minor children subject to child support orders; to provide for definitions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 978—

BY REPRESENTATIVE NOWLIN
AN ACT

To enact R.S. 37:797, relative to the Louisiana State Board of Dentistry; to provide for the employment of dentists by certain nonprofit entities; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 985—

BY REPRESENTATIVES WHITE AND BARROW
AN ACT

To amend and reenact R.S. 40:2173(A), (B)(7), (E), and (F), 2844(B)(introductory paragraph) and (1), (C)(1) and (2), 2845(A)(1) and (D), and R.S. 44:4.1(B)(24) and to enact R.S. 40:2173(B)(8) and (9), 2844(B)(21), (22), and (23), 2845(A)(6) and (7), (E), and (F), and 2845.1, relative to the Louisiana Emergency Response Network; to provide for requirements for trauma centers; to provide for membership of the LERN board; to provide for powers and functions of the LERN board; to provide for a statewide trauma registry; to provide for confidentiality requirements for the statewide trauma registry; to provide authority to develop stroke and STEMI systems; to create a LERN fund; to provide authority for publishing materials; to provide for public records exceptions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 987—

BY REPRESENTATIVE GARY SMITH
AN ACT

To amend and reenact R.S. 40:1299.96(A)(2)(b) and (B)(1) and to enact R.S. 40:1299.96(A)(4), relative to health care information; to provide for definitions; to provide for the report of certain test results directly to the patient; to require reporting to the health care professional who requested the test under certain circumstances; to require verification of patient identification prior to the delivery of test results; to prohibit the liability of clinical laboratories or medical facilities that comply with statutory reporting requirements; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1120—

BY REPRESENTATIVE JOHNSON
AN ACT

To amend and reenact R.S. 40:1058.3(C)(1) and to enact R.S. 40:1058.3(C)(4), relative to licensure of substance abuse and addiction treatment facilities; to provide for a moratorium on licensure of additional methadone maintenance programs; to provide for exceptions; to establish a needs assessment task force; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1185—

BY REPRESENTATIVE NOWLIN
AN ACT

To enact Part LXIX of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.321 through 1300.323, relative to long-term care; to provide for legislative findings and purpose; to provide for definitions; to provide for certain reimbursements and procedures in the Medicaid state

plan as it relates to long-term care services for the elderly, the disabled, and persons with developmental disabilities; to provide for promulgation of rules by the Department of Health and Hospitals; to provide for a date for promulgation of the rules by the Department of Health and Hospitals; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1247—

BY REPRESENTATIVES HOFFMANN, ARMES, BOBBY BADON, BALDONE, BARRAS, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, CARMODY, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DOVE, DOWNS, ELLINGTON, FANNIN, GEYMAN, GISCLAIR, GREENE, GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOWARD, KATZ, KLECKLEY, LABRUZZO, LAMBERT, LEBAS, LIGI, LITTLE, LOPINTO, LORUSSO, MILLS, MONICA, MONTOUCET, MORRIS, PEARSON, PERRY, POPE, PUGH, RICHARD, RICHARDSON, RITCHEY, SCHRODER, SIMON, SMILEY, JANE SMITH, TALBOT, TEMPLET, THIBAUT, TUCKER, WHITE, WILLIAMS, WILLMOTT, AND WOOTON AND SENATORS BROOME, HEBERT, KOSTELKA, LONG, MICHOT, QUINN, RISER, SHAW, AND WALSWORTH
AN ACT

To enact R.S. 22:1016, relative to health insurance issuers; to provide for legislative intent; to provide for definitions; to provide for a prohibition on insurance coverage of elective abortions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1370—

BY REPRESENTATIVE MILLS
AN ACT

To amend and reenact R.S. 40:2175.6(G) and to enact R.S. 40:2175.6(H) and (I), relative to outpatient abortion facilities; to provide for license actions imposed against an outpatient abortion facility; to provide for a system of notification, appeals, and injunctive relief; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
WILLIE L. MOUNT
Chairman

**Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees**

SENATE BILL NO. 621—

BY SENATOR MARTINY
AN ACT

To enact R.S. 15:574.4(A)(4), relative to parole eligibility; to provide for eligibility for parole consideration for certain offenders sentenced as a habitual offender; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 621 by Senator Martiny

AMENDMENT NO. 1

On page 1, line 15, after "**five**" change the period "." to a comma "," and insert the following: "**provided all of the following conditions are met:**

(a) The offender has not been convicted of a crime of violence as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541, or convicted of an offense which would constitute a crime of violence as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541, regardless of the date of conviction.

(b) The offender has not committed any disciplinary offenses in the twelve consecutive months prior to the parole eligibility date.

(c) The offender has completed the mandatory minimum of one hundred hours of pre-release programming in accordance with R.S. 15:827.1.

(d) The offender has completed substance abuse treatment as applicable.

(e) The offender has obtained a GED credential, unless the offender has previously obtained a high school diploma or is deemed by a certified educator as being incapable of obtaining a GED credential due to a learning disability. If the offender is deemed incapable of obtaining a GED credential, the offender must complete at least one of the following: a literacy program, an adult basic education program, or a job skills training program.

(f) The offender has obtained a low-risk level designation determined by a validated risk assessment instrument approved by the secretary of the Department of Public Safety and Corrections."

On motion of Senator Martiny, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 750—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 13:3105(A) and to enact R.S. 13:996.67, relative to courts and judicial procedure; to provide for the Civil District Court for the parish of Orleans; to authorize the Civil District Court for the parish of Orleans and the clerk of court of the Civil District Court for the parish of Orleans to impose additional costs of court and service charges in certain civil matters under certain circumstances; to provide for the collection of such costs and charges; to establish a judicial building fund; to provide for the dedication and disbursement of such funds; to provide procedures and conditions; to provide for the compensation of jurors in civil cases triable by a jury in the Civil District Court for the parish of Orleans; to increase such compensation; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 750 by Senator Murray

AMENDMENT NO. 1

On page 1, line 6, after "matters" insert "under certain circumstances"

AMENDMENT NO. 2

On page 1, line 16, delete "The" and insert "Subject to the approval of the Judicial Council of the Louisiana Supreme Court, the"

On motion of Senator Quinn, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and passed to a third reading.

**Senate Bills and Joint Resolutions
on Second Reading**

SENATE BILL NO. 804— (Substitute of Senate Bill No. 754 by Senator Morrell)

BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 36:801.1(A), R.S. 38:330.12 and 330.12.1, to enact R.S. 36:509(P) and R.S. 38:330.12.1, and to repeal R.S. 36:509(P), relative to non-flood protection assets, functions, and activities within a levee district within the jurisdiction of an authority; to provide for the management and control of such assets; to create the Non-flood Protection Asset Management Authority within the Department of Transportation

and Development and as a political subdivision; to transfer management of such assets from the division of administration to the authority; to provide for the powers, duties, and functions of the authority; to provide for a board of commissioners of the authority; to provide for membership of the board of commissioners; and to provide for related matters.

On motion of Senator McPherson the bill was read by title, ordered engrossed and passed to a third reading.

**House Bills and Joint Resolutions
on Second Reading
Reported by Committees**

HOUSE BILL NO. 5—

BY REPRESENTATIVE LEGER

AN ACT

To amend and reenact R.S. 49:316.1(A)(2)(a) and (c), relative to the administration of state government; to authorize the Department of Public Safety and Corrections, to accept debit or credit cards for payment of obligations owed to the state through the use of a third-party processor; to provide for the collection of a convenience fee; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Engrossed House Bill No. 5 by Representative Leger

AMENDMENT NO. 1

On page 2, line 8, after "Corrections," insert "Department of Wildlife and Fisheries,"

AMENDMENT NO. 2

On page 2, line 13, after "Corrections," insert "Department of Wildlife and Fisheries,"

On motion of Senator Martiny, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 16—

BY REPRESENTATIVE WOOTON

AN ACT

To amend and reenact R.S. 40:1379.3(D)(2), relative to concealed handgun permits; to provide with respect to the training of persons applying for a concealed handgun permit; to provide for the certification of concealed handgun permit instructors; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 18—

BY REPRESENTATIVE MORRIS

AN ACT

To enact R.S. 33:454, relative to mayors' courts; to establish the Mayor's Court of the Village of Hosston, Caddo Parish; to provide for the territorial jurisdiction of the court; to provide for the powers and authority of the mayor as magistrate of the court and other officers of the court; to provide relative to subject matter jurisdiction of the court; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 19—

BY REPRESENTATIVE PEARSON

AN ACT

To enact Code of Civil Procedure Article 4844(A)(6), relative to jurisdiction of a city court in eviction proceedings; to provide that the City Court of Slidell has the same jurisdictional limit for

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eviction proceedings as a justice of the peace court; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 21—
BY REPRESENTATIVE THIERRY
AN ACT

To enact R.S. 13:841(F), relative to fees of the clerk of court's office; to clarify that the clerk of court of the Twenty-Seventh Judicial District Court is authorized to charge existing fees for the filing and recordation of documents received electronically; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 22—
BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 15:570(A)(6), relative to capital punishment; to provide with respect to the witnesses present at the execution of a death sentence; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 24—
BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 9:1702, relative to immovable property; to provide for the partition of certain property; to provide an exception allowing agreements not to partition electric generating plants or units for a certain period of time; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 29—
BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 15:893.1(1), relative to incarceration; to provide with respect to the assignment of inmates at certain correctional facilities; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 40—
BY REPRESENTATIVE FOIL
AN ACT

To enact R.S. 9:2005(3), relative to trusts; to provide for seizure of trust assets in certain circumstances; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 40 by Representative Foil

AMENDMENT NO. 1
On page 1, delete lines 14 and 15 in their entirety and insert "which results in a conviction or a plea of guilty."

On motion of Senator Quinn, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 60—
BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 40:1379.3(A)(1), (B), (C)(introductory paragraph), and (T), relative to concealed handgun permits; to provide for the issuance of Louisiana concealed handgun permits; to provide with respect to the recognition of nonresident concealed handgun permits; to provide for a period of time when previously issued nonresident concealed handgun permits shall be considered valid; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 67—
BY REPRESENTATIVE LOPINTO
AN ACT

To amend and reenact R.S. 40:1236.14 and to enact R.S. 9:2793(C), relative to limitations of liability; to provide a limitation of liability for the use of automated external defibrillators at the scene of an emergency; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 95—
BY REPRESENTATIVE WHITE
AN ACT

To amend and reenact Code of Criminal Procedure Articles 411(A), 413, and 415, relative to the drawing and impaneling of grand jurors; to provide for the impaneling of grand jury members; to increase the number of alternate members which can be selected to serve on a grand jury; to provide for the selection of additional alternate grand jurors to fill vacancies on the grand jury; to provide for the selection of the foreman; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 105—
BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact Code of Criminal Procedure Article 875(A)(3), relative to presentence investigations; to amend presentence investigation provisions to include defendant's pretrial and post-conviction disciplinary records; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 123—
BY REPRESENTATIVE BALDONE
AN ACT

To enact R.S. 14:110.3, relative to offenses affecting law enforcement; to create the crime of tampering with surveillance, accounting, inventory, or monitoring systems; to provide for definitions; to provide for penalties; to provide for increased penalties if the monitoring system is located on the premises of a correctional facility; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 130—
BY REPRESENTATIVE WHITE
AN ACT

To amend and reenact Code of Criminal Procedure Articles 899(E) and 900(A)(introductory paragraph), relative to procedures following the arrest or summons for a violation of probation; to increase the time period in which a defendant shall be brought before the court for a hearing on a probation violation; to provide for the use of affidavits in determining probable cause;

to provide for time limitations; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 141—
BY REPRESENTATIVE WOOTON

AN ACT

To amend and reenact R.S. 40:1784, relative to applications to possess or transfer certain firearms; to provide for the use of electronic applications approved by the Department of Public Safety and Corrections for the possession or transfer of certain firearms; to provide that applications for the possession or transfer of certain firearms may be filed electronically; to provide that electronic applications are contingent upon purchase of equipment; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 158—
BY REPRESENTATIVE WOOTON

AN ACT

To amend and reenact R.S. 40:1379.3(C)(10) and to enact R.S. 40:1379.3(C)(18) and (19), relative to concealed handgun permits; to provide for the qualifications necessary for the issuance of a permit; to provide for a waiting period for reapplication following revocation or denial; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 173—

BY REPRESENTATIVES TEMPLET, ANDERS, ARMES, ARNOLD, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BILLIOT, HENRY BURNS, TIM BURNS, BURRELL, CHANDLER, CHANEY, CONNICK, CORTEZ, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, FANNIN, GISCLAIR, GREENE, GUILORY, HARDY, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HUTTER, GIROD JACKSON, MICHAEL JACKSON, KATZ, LAFONTA, LAMBERT, LEBAS, LIGI, LORUSSO, MCVEA, MILLS, MONICA, MORRIS, NOWLIN, PUGH, RICHARD, RICHARDSON, RICHMOND, ROBIDEAUX, SIMON, SMILEY, JANE SMITH, ST. GERMAIN, TALBOT, TUCKER, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON AND SENATOR MARTINY

AN ACT

To amend and reenact R.S. 40:966(B)(3), (E), and (F) and to enact R.S. 40:964(Schedule I)(C)(32) and 989.2, relative to controlled dangerous substances; to create the crime of the unlawful production, manufacturing, distribution, or possession of a material, compound, mixture, or preparation which contains a prohibited plant; to provide for definitions; to provide for criminal penalties; to provide for exceptions; to add certain hallucinogenic substances to Schedule I; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 195—

BY REPRESENTATIVES MILLS, WOOTON, PATRICIA SMITH, BARROW, BURRELL, CARMODY, DIXON, EDWARDS, HARDY, GIROD JACKSON, KATZ, LAFONTA, LOPINTO, MONTOUCET, NORTON, NOWLIN, ST. GERMAIN, STIAES, THIERRY, AND WILLIAMS AND SENATOR MARTINY

AN ACT

To amend and reenact R.S. 15:574.2(B), (C), (D), (E), and (F) and to enact R.S. 15:574.2(G), relative to the Board of Parole; to change the number of votes required to grant parole to offenders convicted of certain offenses; to provide for applicability; to provide for criteria; to provide for the granting of parole to certain offenders participating in work release programs; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 208—
BY REPRESENTATIVE GREENE

AN ACT

To amend and reenact R.S. 46:236.3(K)(2), relative to income assignment orders; to provide for an increase in the fine for failure to comply; to provide relative to the total amount withheld; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 208 by Representative Greene

AMENDMENT NO. 1

On page 1, delete line 3, and insert "relative to the fine for failure to comply; to provide terms and conditions; to provide relative to the total"

AMENDMENT NO. 2

On page 1, delete line 14 and 15 and insert "(2) May impose a fine against the payor, up to twenty-five dollars per day up to fifty dollars per day if the failure was willful, or up to twenty-five dollars per day if the failure was not willful, for the failure to withhold or pay over the support in accordance with the"

On motion of Senator Quinn, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 221—

BY REPRESENTATIVE TIM BURNS
AN ACT

To amend and reenact R.S. 9:303(C) and 315.11(A), R.S. 13:1621(B)(3) and (4), R.S. 15:305(D) and (E)(1), R.S. 46:236.1.2(D)(2) and (J), 236.7(A)(1) and (B), and 236.11.1(C)(3), Children's Code Article 311(B)(1)(a), and Code of Evidence Article 902(10), relative to child support; to make technical corrections to provisions governing child support; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 222—

BY REPRESENTATIVE TIM BURNS
AN ACT

To amend and reenact R.S. 46:236.3(E)(3), relative to the enforcement of child support; to provide for the garnishment of income; to provide for the forwarding of payment; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 235—

BY REPRESENTATIVE WOOTON
AN ACT

To enact R.S. 11:2185 and 2235 and R.S. 33:4712(G), relative to law enforcement officers; to authorize retired deputy sheriffs and retired municipal police officers to purchase their firearms upon retirement; to provide for certain criteria; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 238—

BY REPRESENTATIVE HOWARD
AN ACT

To enact R.S. 33:1448(Y), relative to the premium costs of group health and life insurance for retired sheriffs and retired deputy sheriffs of the Sabine Parish Sheriff's Office; to provide for eligibility for payment of premium costs; and to provide for related matters.

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Reported favorably by the Committee on Judiciary B. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 323—
BY REPRESENTATIVE WILLMOTT
AN ACT

To enact R.S. 9:2800.21, relative to curators; to provide a limitation of liability for certain curators and undercurators for the acts of interdicts; to provide for exceptions; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 327—
BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact Code of Civil Procedure Article 1293(A), relative to service of process; to provide for the appointment of a private process server under certain circumstances; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 327 by Representative Greene

AMENDMENT NO. 1
On page 1, at the end of line 15, insert "Any person who is a Louisiana licensed private investigator shall be presumed qualified to perform the duties required to make service."

On motion of Senator Quinn, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 484—
BY REPRESENTATIVE EDWARDS
AN ACT

To amend and reenact R.S. 3:3652(9) and (15), 3653, 3656(A)(1) and (D), the heading of Part XIV of Chapter 1 of Code Title XXI of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950 and R.S. 9:4770, R.S. 10:9-102(d), 9-308(b), 9-309(13), 9-315(a)(introductory paragraph) and (1), 9-322(f)(introductory paragraph) and (5), and 9-501(a)(introductory paragraph) and (1), to enact R.S. 10:9-322(g) and 9-501(a)(4), and to repeal R.S. 9:4521 and 4524 and R.S. 10:9-322(f)(6) and 9-501(a)(2), relative to security devices; to provide definitions; to provide for agricultural liens; to provide for perfection of liens; to provide for conflicts; to provide for rankings; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 496—
BY REPRESENTATIVE SMILEY
AN ACT

To amend and reenact R.S. 44:4.1(B)(1), to enact Chapter 10-A of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:1381 through 1430.13, and to repeal Chapters 10 and 14 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:1311 through 1373 and 1891 through 1907, relative to the Louisiana Feed Commission and the Fertilizer Commission; to provide for the merger of the Louisiana Feed Commission and the Fertilizer Commission; to provide for membership, duties, and responsibilities; to provide for the Louisiana Agricultural Liming Materials Law, and to provide for related matters.

Reported with amendments by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Agriculture, Forestry, Aquaculture, and Rural Development to Re-Engrossed House Bill No. 496 by Representative Smiley

AMENDMENT NO. 1
On page 16, line 18, change "Subsection" to "Section"

AMENDMENT NO. 2
On page 21, line 18, after "means" delete the remainder of the line and insert "any of the following situations:"

AMENDMENT NO. 3
On page 22, line 24, delete "Commission;" and change "powers" to "Powers"

AMENDMENT NO. 4
On page 24, line 11, after "label" and before "if" delete the comma " , "

AMENDMENT NO. 5
On page 24, line 12, after "invoice" and before "if" delete the comma " , "

On motion of Senator Thompson, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 502—
BY REPRESENTATIVE BALDONE
AN ACT

To enact R.S. 14:204.1, relative to fire-raising; to create the crime of fire-raising in a correctional facility; to provide criminal penalties; to provide for definitions; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 549—
BY REPRESENTATIVE BALDONE
AN ACT

To enact Code of Criminal Procedure Article 233, relative to criminal procedure; to authorize the use of electronic signatures of offenders; to provide for the collection of electronic signatures; to provide for definitions; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 556—
BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 14:95.2(C)(4) and R.S. 40:1379.3(N)(11), relative to firearms; to provide with respect to firearm-free zones; to provide relative to the possession of firearms by concealed handgun permit holders; to retain the prohibition regarding the carrying of concealed handguns at a school; to prohibit the carrying of concealed handguns on any school campus or school bus; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 606—
BY REPRESENTATIVE ELLINGTON
AN ACT

To amend and reenact R.S. 3:2891, 2892, and 2896, relative to swine running at large; to remove certain exceptions to running at large, seizure and impoundment, and liabilities; and to provide for related matters.

Reported with amendments by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Agriculture, Forestry, Aquaculture, and Rural Development to Reengrossed House Bill No. 606 by Representative Ellington

AMENDMENT NO. 1

On page 1, line 4, after "liabilities;" insert "to provide for effectiveness;"

AMENDMENT NO. 2

On page 2, at the beginning of line 18, insert "A."

AMENDMENT NO. 3

On page 2, between lines 20 and 21, insert the following:

"B. The provisions of this section shall not apply in the Sabine River Swamp in ward 1 and all of ward 2 of Beauregard Parish, in the Little River area north of Catahoula Lake in Grant Parish and LaSalle Parish south of Highway 84, in wards 1, 2, 3, and 4 of LaSalle Parish, in that area of Allen Parish, ward 5, west of the Calcasieu River, in wards 1, 2, 3, 5, 6, and 8 of Vernon Parish, in the Catahoula Lake area of Catahoula Parish, and in the parishes of Winn, Union, St. Tammany, Livingston, St. Helena, Cameron, and Caldwell Parish, except wards 1, 2, 7, and 8 of Caldwell Parish, and state representative district 27, unless a referendum of the people is held to approve it.

C. The provisions of Subsection B of this Section shall become null and void on January 1, 2020."

On motion of Senator Thompson, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 608—

BY REPRESENTATIVE WHITE

AN ACT

To amend and reenact Code of Criminal Procedure Article 230.2(A), relative to probable cause determinations; to authorize the use of facsimile or other electronic means to transmit affidavits or other written evidence in probable cause determinations; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 623—

BY REPRESENTATIVE DANAHAY

AN ACT

To amend and reenact Code of Civil Procedure Article 153 and Code of Criminal Procedure Article 673, relative to the recusal of judges; to provide for the authority of judges pending a motion to recuse; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 651—

BY REPRESENTATIVE TEMPLET

AN ACT

To amend and reenact Children's Code Articles 1122(B)(8), (F)(12), (G)(12), 1125(B), 1189(3), 1270, 1271(A) and (B), 1272, 1273, 1276, 1515(B)(VI), 1517(A), 1518(B), 1519, 1520(B)(introductory paragraph) and (C), and 1522(B) and to enact Children's Code Articles 1515(A)(7) and 1517(E), relative to the continuous revision of the Children's Code; to provide for adoption; to provide for voluntary transfer of custody; to provide for contents of the surrender form; to provide for the Statement of Family History Form; to provide for voluntary registration, use of the registry, matching procedures, and who may register; to provide for effective date of registration, monitoring, verifying, matching, and counseling registrants; to provide for confidentiality of documents filed; to provide for disclosure of death of biological parents and adopted persons and grounds for disclosure; to provide for the contents and form of the petition for voluntary transfer; to provide for notice and service of the

petition; to provide for appointment of counsel; to provide for required testimony at the hearing; to provide for the contents of the judgment; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 751—

BY REPRESENTATIVE FOIL

AN ACT

To enact R.S. 9:1255, relative to the installation of solar collectors; to provide for definitions; to provide for certain rights and prohibitions relative to the installation of solar collectors; to provide for exceptions; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 762—

BY REPRESENTATIVE ROY

AN ACT

To amend and reenact R.S. 14:93.3(E)(1), relative to the crime of cruelty to the infirmed; to provide for a minimum mandatory term of imprisonment for intentional and malicious acts of cruelty to the infirmed; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 762 by Representative Roy

AMENDMENT NO. 1

On page 1, line 11, after "At least" delete "six months" and insert "one year"

On motion of Senator Dorsey, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 774—

BY REPRESENTATIVE GREENE

AN ACT

To amend and reenact R.S. 9:346(G), relative to visitation; to provide relative to defenses; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 840—

BY REPRESENTATIVES SIMON, BOBBY BADON, BURFORD, HENRY BURNS, CHANEY, GUINN, HOWARD, LEBAS, LITTLE, PERRY, RITCHIE, ROY, AND THIBAUT

AN ACT

To enact Chapter 3-E of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:299, and R.S. 36:629(M) and 919.10, relative to the Louisiana Sustainable Local Food Policy Council; to provide for the council membership, duties and responsibilities, vacancies, and compensation; to provide for termination; and to provide for related matters.

Reported favorably by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 847—

BY REPRESENTATIVE WOOTON

AN ACT

To amend and reenact R.S. 14:207(A), relative to the crime of alteration or removal of identifying numbers on motor vehicles; to provide for the elements of the crime; to include trailers; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. The bill was read by title and referred to the Legislative Bureau.

May 26, 2010

HOUSE BILL NO. 855—
BY REPRESENTATIVE BOBBY BADON
AN ACT

To amend and reenact R.S. 35:407(A) and (B), relative to ex officio notaries public appointed by mayors; to authorize mayors of certain municipalities to appoint ex officio notaries public; to provide for limitations; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 856—
BY REPRESENTATIVE TIM BURNS
AN ACT

To amend and reenact R.S. 9:1725(5), 1893, 1895(A), 1971, 2004(2), 2011, 2025, and 2045 and to enact R.S. 9:1973(C), 2031, and 2235, relative to the Louisiana Trust Code; to provide for the definition of "proper court"; to provide for class trusts; to provide for the interests of beneficiaries; to provide for the correction of cross references; to provide relative to the shifting of the interest of a principal beneficiary; to provide for the delegation of the right to terminate, modify, or amend certain trust provisions; to provide for the delegation of the right to revoke a trust; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 857—
BY REPRESENTATIVE TIM BURNS
AN ACT

To direct the Louisiana State Law Institute to redesignate certain provisions from Title 44 of the Louisiana Revised Statutes of 1950 to Title 9 of the Louisiana Revised Statutes of 1950, relative to mortgage records; to provide for the effectiveness of references to redesignated statutes; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 871—
BY REPRESENTATIVE HAZEL
AN ACT

To amend and reenact R.S. 46:236.6(A) and 236.7(B), relative to summonses for contempt for nonpayment of child support orders or medical support orders; to provide for authority to issue summonses for contempt; to provide for changes to a statutory reference regarding child support collection agencies; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 871 by Representative Hazel

AMENDMENT NO. 1
On page 1, line 16, after "jurisdiction" insert "on a date which shall be specified by the court."

AMENDMENT NO. 2
On page 1, line 18, after "court" delete the remainder of the line and insert "and serve in open any summonses served and a rule for contempt which shall be served in open"

AMENDMENT NO. 3
On page 1, line 19, change "a rule for contempt" to "a rule for contempt"

AMENDMENT NO. 4
On page 2, delete lines 19 through 21 and insert "jurisdiction, on a date which shall be specified by the court, why he should not be held in constructive contempt of court. Prior to or at the hearing, the Department of Social Services or the district attorney shall file with the court any summonses served and a rule for contempt which shall be ~~and serve~~ served in open court on the defendant ~~a rule for contempt, setting~~"

On motion of Senator Quinn, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 917—
BY REPRESENTATIVE WHITE
AN ACT

To enact R.S. 14:230(A)(2)(d) and (e), relative to money laundering; to amend the definition of "funds"; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 940—
BY REPRESENTATIVE MONTTOUCET
A JOINT RESOLUTION

Proposing to amend Article I, Section 17(A) of the Constitution of Louisiana, relative to jury trials in criminal cases; to provide for with respect to the waiver of a trial by jury; to provide that a criminal defendant's waiver of a jury trial shall be contingent upon the prosecution's consent and court approval; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1062—
BY REPRESENTATIVE FOIL
AN ACT

To amend and reenact Code of Civil Procedure Article 1561(A), relative to civil actions; to provide for the procedures for the consolidation of separate actions; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1113—
BY REPRESENTATIVES RICHMOND AND LEGER
AN ACT

To enact R.S. 33:9615, relative to local ethics entities; to provide for appellate review of decisions of the board; to provide restrictions on such right of appeal; to provide definitions; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1133—
BY REPRESENTATIVES ARNOLD AND BALDONE
AN ACT

To enact Chapter 4-A of Code Title VII of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3131 through 3136, relative to private transfer fee obligations; to provide for legislative intent; to provide for definitions; to prohibit private transfer fee obligations; to provide for liability for violations; to provide for disclosure of a private transfer fee; to provide for notice requirements for existing private transfer fees; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 1133 by Representative Arnold

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact Civil Code Articles 651 and 778 and to"

AMENDMENT NO. 2

On page 1, line 7, after "fees;" insert "to provide for an effective date;"

AMENDMENT NO. 3

On page 1, line 15, delete "corporeal", on line 16, delete "corporeal" and on line 18, delete "corporeal"

AMENDMENT NO. 4

On page 2, delete lines 3 and 4 and insert in lieu thereof the following: "create real rights and shall not be binding on subsequent owners of immovables or other third parties, whether or not evidenced by a recorded instrument."

AMENDMENT NO. 5

On page 2, line 8, after "interest in" change "a" to "an" and delete "corporeal" and on line 11 delete "corporeal"

AMENDMENT NO. 6

On page 2, line 14, delete "corporeal", on line 15, delete "corporeal", on line 16, delete "corporeal" and on line 18, delete "corporeal"

AMENDMENT NO. 7

On page 2, at the beginning of line 20, after "of" change "a" to "an" and delete "corporeal" and on line 23, delete "corporeal"

AMENDMENT NO. 8

On page 2, line 25, after "against" change "a" to "an" and delete "corporeal" and on line 27, delete "corporeal"

AMENDMENT NO. 9

On page 3, line 2, after "consideration" delete "and"

AMENDMENT NO. 10

On page 3, line 8, after "interest in" change "a" to "an" and delete "corporeal", on line 9, delete "corporeal", and on line 10, delete "corporeal"

AMENDMENT NO. 11

On page 3, at the end of line 14 delete "payable to an" and insert "authorized under the" and on line 15, delete "association of unit owners established or recognized under"

AMENDMENT NO. 12

On page 3, line 16, delete "a timeshare association under" and on line 17, delete "a homeowners association" and on line 18, delete "established or recognized under"

AMENDMENT NO. 13

On page 3, line 19, after "et seq." delete the remainder of the line and delete lines 20 through 29

AMENDMENT NO. 14

On page 4, delete lines 1 and 2

AMENDMENT NO. 15

On page 4, line 3, after "means" delete the remainder of the line and lines 4 through 9 and insert in lieu thereof the following: "any obligation arising under any recorded or unrecorded declaration or agreement, whether or not purporting to create a servitude, building restriction or other real right, to pay a private transfer fee to a party to the declaration or agreement, or his successors or assigns, or a third person upon a subsequent transfer of an interest in the immovable."

AMENDMENT NO. 16

On page 4, line 10, after "sale." delete "gift." and insert in lieu thereof "donation." and on line 11, after "interest in" change "a" to "an" and delete "corporeal"

AMENDMENT NO. 17

On page 4, line 13, after "obligation" delete the remainder of the line and lines 14 through 22 and insert "does not constitute a real right and is not effective or enforceable against third persons, whether or not the declaration or agreement under which it arises is recorded."

AMENDMENT NO. 18

On page 4, line 28, after "obligation on" change "the" to "a" and after "interest in" change "a" to "an" and delete "corporeal"

AMENDMENT NO. 19

On page 5, line 3, after "title" and before the period "." insert "or to declare the private transfer fee unenforceable" and at the beginning of line 4, change "secure" to "enforce" and on line 5, after "be" insert "solidarily"

AMENDMENT NO. 20

On page 5, line 7, change "a" to "an" and delete "corporeal"

AMENDMENT NO. 21

On page 5, line 14, delete "receiver of" and insert "person entitled to receive" and at the end of the line delete "against the" and on line 15, delete "corporeal immovable subject to the private transfer fee obligation." and on line 16, delete "corporeal"

AMENDMENT NO. 22

On page 5, line 23, delete "corporeal"

AMENDMENT NO. 23

On page 6, line 1, delete "payee" and insert "person filing the notice" and on line 2, delete "corporeal" and after "immovable" insert "purportedly" and on line 3, after "obligation" insert ", and the name of the current owner of the immovable"

AMENDMENT NO. 24

On page 6, line 5, change "contract" to "contact" and on line 7, delete "corporeal"

AMENDMENT NO. 25

On page 6, line 9 after "C." delete the remainder of the line and lines 10 through 15 and insert in lieu thereof the following: "In the absence of timely compliance with Subsection A of this Section, any effect that private transfer fee obligations might otherwise have had against third persons shall cease and shall not be susceptible of revival by a later filing."

AMENDMENT NO. 26

On page 6, at the end of line 19, delete "corporeal" and on line 22, delete "corporeal"

AMENDMENT NO. 27

On page 6, line 24, change "Subsection A" to "Subsection F" and delete line 26 in its entirety, and insert "immovable is located."

AMENDMENT NO. 28

On page 6, delete line 27, and on line 28, delete "a private transfer fee obligation."

AMENDMENT NO. 29

On page 7, line 1, delete "corporeal" and on line 4, after "affidavit," insert "and"

AMENDMENT NO. 30

On page 7, line 5, after "obligation" delete the remainder of the line and delete line 6 and insert a period "."

AMENDMENT NO. 31

On page 7, after line 14, insert the following:

"G. This Section shall apply only to private transfer fee obligations arising under a declaration or agreement entered into prior to the effective date of this Chapter, whether or not recorded; however, neither the provisions of this Section nor compliance by any person with its requirements shall be construed to validate or authorize private transfer fee obligations that were purportedly created prior to the effective date of this Chapter or to make such private transfer restrictions enforceable against third persons."

Section 2. Civil Code Articles 651 and 778 are hereby amended and reenacted to read as follows:

Art. 651. Obligations of the owner of the servient estate.

The owner of the servient estate is not required to do anything. His obligation is to abstain from doing something on his estate or to permit something to be done on it. He may be required by convention or by law to keep his estate in suitable condition for the exercise of the servitude due to the dominant estate. A servitude may not impose upon the owner of the servient estate or his successors the obligation to pay a fee or other charge on the occasion of an alienation, lease, or encumbrance of the servient estate.

* * *

Art. 778. Affirmative duties.

Building restrictions may impose on owners of immovables affirmative duties that are reasonable and necessary for the maintenance of the general plan. Building restrictions may not impose upon the owner of an immovable or his successors the obligation to pay a fee or other charge on the occasion of an alienation, lease or encumbrance of the immovable.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Senator Quinn, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1214—

BY REPRESENTATIVE WHITE

AN ACT

To enact R.S. 29:739, relative to intrastate mutual aid; to provide for the creation and implementation of an Intrastate Mutual Aid Compact; to provide for an Intrastate Mutual Aid Subcommittee; to provide for guidelines and procedures; to define certain terms; to provide for responsibilities of parishes; to provide for license, certificate, and permit portability; to provide for parish reimbursement; to provide relative to workers' compensation; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1314—

BY REPRESENTATIVES HARDY, BILLIOT, HENRY BURNS, TIM BURNS, CARTER, CONNICK, GISCLAIR, HENRY, HINES, HUTTER, LIGI, SIMON, JANE SMITH, THIERRY, WILLIAMS, AND WOOTON

AN ACT

To enact R.S. 15:542.1(A)(5), relative to sex offenders; to provide relative to sex offender notification requirements; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1335—

BY REPRESENTATIVE HINES

AN ACT

To amend and reenact Children's Code Article 899(B)(2)(b) and to enact Children's Code Article 779(B)(5), relative to juvenile dispositions; to authorize the court to require certain persons to perform community service; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. The bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1463— (Substitute for House Bill No. 1183 by Representative Ritchie)

BY REPRESENTATIVE RITCHIE

AN ACT

To enact R.S. 3:3419.1 and R.S. 6:333(F)(17), relative to the communication of certain producer information; to provide for disclosure of certain financial records; and to provide for related matters.

Reported with amendments by the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Agriculture, Forestry, Aquaculture, and Rural Development to Reengrossed House Bill No. 1463 by Representative Ritchie

AMENDMENT NO. 1

On page 2, line 13, after "declared disaster" change "in" to "which includes"

AMENDMENT NO. 2

On page 2, line 15, after "farms" and before "agricultural" insert "or produces"

On motion of Senator Thompson, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

Mr. President in the Chair

Rules Suspended

Senator Broome asked for and obtained a suspension of the rules to revert to the order of:

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

Senator Robert W. Kostelka, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 26, 2010

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

SENATE RESOLUTION NO. 11—

BY SENATOR GUILLORY

A RESOLUTION

To amend and re-adopt Senate Rule No. 9.1(A) of the Rules of Order of the Senate, relative to the prefiling of instruments; to require that legislation relative to retirement be prefiled not later than five o'clock p.m. of the sixtieth calendar day prior to the start of the regular session.

Reported with amendments.

SENATE BILL NO. 82—
BY SENATOR GUILLORY

AN ACT

To amend and reenact R.S. 18:59.2(B), relative to registrars of voters; to provide relative to authorized positions in the office of the registrar of voters in St. Landry Parish; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 507—
BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 42:1132(D), 1134(N), and 1157(A)(1) and (3) and to enact Chapter 46 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9661 through 9669, relative to the regulation of lobbying; to provide for the regulation of lobbying of local government; to provide for the reporting of certain expenditures by principals and employers of lobbyists; to provide definitions; to provide for registration, reporting, and disclosure; to provide for administration and enforcement; to provide for penalties; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 515—
BY SENATOR KOSTELKA

AN ACT

To amend and reenact R.S. 44:4.1(B)(10), relative to public records; to provide relative to exceptions to public records law for certain records; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 554—
BY SENATOR GUILLORY

AN ACT

To enact R.S. 15:569(D) and R.S. 49:967(E) and (F), relative to the Administrative Procedure Act; to provide that the Administrative Procedure Act does not apply to certain actions of the Department of Public Safety and Corrections; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 593—
BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 44:5, relative to public records; to provide for the application of public records law to records of the office of the governor; to provide exceptions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 296—
BY REPRESENTATIVE HUTTER

AN ACT

To amend and reenact R.S. 42:1123(26), relative to the Code of Governmental Ethics; to allow the acceptance of certain gifts by public servants under certain circumstances; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 758—
BY REPRESENTATIVE HUTTER

AN ACT

To enact R.S. 42:1141(E)(13), relative to enforcement of laws within the jurisdiction of the Board of Ethics; to require that certain information be made available to a person accused of violating such laws; to provide relative to the confidentiality of such

information; to provide procedures and requirements for the provision of such information; to provide for exceptions; and to provide for related matters.

Reported favorably.

Respectfully submitted,
ROBERT W. KOSTELKA
Chairman

Reconsideration

The vote by which Senate Bill No. 681 failed to pass on Tuesday, May 25, 2010, was reconsidered.

SENATE BILL NO. 681—
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 40:1484.2(8), relative to air-supported structures; to amend the definition of operator; and to provide for related matters.

On motion of Senator Martiny, the bill was read by title and returned to the Calendar, subject to call.

Reconsideration

The vote by which Senate Bill No. 793 failed to pass on Tuesday, May 25, 2010, was reconsidered.

SENATE BILL NO. 793— (Substitute of Senate Bill No. 331 by Senator Hebert)

BY SENATOR HEBERT

AN ACT

To enact R.S. 37:223, relative to district attorneys; to prohibit certain legal representation by a district attorney or his staff; and to provide for related matters.

On motion of Senator Hebert, the bill was read by title and returned to the Calendar, subject to call.

Special Order of the Day No. 1

HOUSE BILL NO. 1033—

BY REPRESENTATIVES HOFFMANN, AUSTIN BADON, HENRY BURNS, TIM BURNS, CARMODY, CARTER, CHAMPAGNE, CONNICK, GISCLAIR, HARDY, KATZ, LABRUZZO, LIGI, NOWLIN, ROBIDEAUX, SIMON, SMILEY, WILLIAMS, AND WOOTON AND SENATORS APPEL, DONAHUE, DUPLESSIS, MARTINY, AND QUINN

AN ACT

To amend and reenact R.S. 17:10.1(B) and (C), Subpart A of Part II of Chapter 39 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3881 through 3886, Subpart C of Part II of Chapter 39 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3901 through 3905, R.S. 17:3997(D), to enact R.S. 17:10.1(D), and to repeal Subpart B of Part II of Chapter 39 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:3891 through 3895, relative to professional employee quality development; to provide for evaluation programs for teachers and administrators; to provide for program purposes and definitions; to provide for local evaluation plans and elements required for such plans; to provide relative to the powers and duties of the State Board of Elementary and Secondary Education and local school boards; to provide for an advisory committee to make recommendations relative to the development of a value-added assessment model; to require the state superintendent of education to make certain information available to the public; to provide conditions for the issuance of teacher and higher level certificates; to delete requirements relative to informal evaluations; to require reporting; to provide for applicability; to provide for effectiveness; to repeal provisions relative to the Teacher Assistance and Assessment Program; and to provide for related matters.

Senator Marionneaux in the Chair

Floor Amendments

Senator Nevers proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Nevers to Reengrossed House Bill No. 1033 by Representative Hoffmann

AMENDMENT NO. 1

On page 18, line 25, between "teacher" and "evaluation" insert "and administrator"

On motion of Senator Nevers, the amendments were adopted.

Floor Amendments

Senator LaFleur proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator LaFleur to Reengrossed House Bill No. 1033 by Representative Hoffmann

AMENDMENT NO. 1

On page 19, between lines 7 and 8, insert the following: "Section 2. For the 2010-2011 school year, notwithstanding any law, rule, or regulation to the contrary, each city, parish, and other local public school board shall be allowed to continue to use the personnel evaluation plan as prescribed by each board's policy on the effective date of this Act. For the 2011-2012 school year, if the State Board of Elementary and Secondary Education fails to promulgate the rules and regulations necessary to implement the provisions of this Act at least sixty days prior to the beginning of the school year, each city, parish, and other local public school board shall be allowed to continue to use the personnel evaluation plan as prescribed by each board's policy on the effective date of this Act."

AMENDMENT NO. 2

On page 19, at the beginning of line 8, change "Section 2." to "Section 3."

AMENDMENT NO. 3

On page 19, at the beginning of line 10, change "Section 3." to "Section 4."

On motion of Senator LaFleur, the amendments were adopted.

Floor Amendments

Senator N. Gautreaux proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator N. Gautreaux to Reengrossed House Bill No. 1033 by Representative Hoffmann

AMENDMENT NO. 1

On page 18, at the beginning of line 11, change "D.(1)" to "D.(1)(a)"

AMENDMENT NO. 2

On page 18, between lines 23 and 24, insert the following: "(b) The governing authority of a charter school shall terminate the employment of any teacher or administrator determined to be ineffective for three consecutive years pursuant to the evaluation required by this Section."

Senator N. Gautreaux moved adoption of the amendments.

Senator Duplessis objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Adley, Alario, Amedee, Broome, Chabert, Cheek, Claitor, Crowe, Donahue, Dorsey, Erdy, Gautreaux B, Gautreaux N, Hebert, Jackson, Kostelka, Marionneaux, Martiny, Morrell, Murray, Nevers, Peterson, Riser, Shaw, Smith, Thompson

Total - 26

NAYS

Table with 3 columns of names: Appel, Duplessis, Guillory, LaFleur, Long, Michot, Mount, Quinn, Walsworth

Total - 9

ABSENT

Table with 2 columns of names: Mr. President, Heitmeier, McPherson, Morrish

Total - 4

The Chair declared the amendments were adopted.

Floor Amendments

Senator Hebert proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hebert to Reengrossed House Bill No. 1033 by Representative Hoffmann

AMENDMENT NO. 1

On page 19, between lines 7 and 8, insert the following: "Section 2. The Louisiana state superintendent of education and every employee of the Department of Education who makes over one hundred thousand dollars shall be subject to a vote of confidence by a majority of the school boards annually."

AMENDMENT NO. 2

On page 19, beginning of line 8, change "Section 2." to "Section 3."

AMENDMENT NO. 3

On page 19, at the beginning of line 10, change "Section 3." to "Section 4."

Senator Appel asked for a ruling from the Chair as to whether the amendment was germane to the bill.

The Chair ruled that the amendment was not germane to the bill.

The amendment was withdrawn.

Mr. President in the Chair

Floor Amendments

Senator Amedee proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Amedee and Hebert to Reengrossed House Bill No. 1033 by Representative Hoffmann

AMENDMENT NO. 1

On page 19, between lines 7 and 8, insert the following: "Section 2. The state superintendent of education and every employee of the Department of Education who makes over one hundred thousand dollars shall be evaluated using the same standards and criteria as teachers and administrators evaluated pursuant to the provisions of this Act."

AMENDMENT NO. 2

On page 19, beginning of line 8, change "Section 2." to "Section 3."

AMENDMENT NO. 3

On page 19, at the beginning of line 10, change "Section 3." to "Section 4."

Senator Amedee moved adoption of the amendments.

Senator Nevers objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Hebert	Morrish
Amedee	Heitmeier	Murray
Chabert	Kostelka	Peterson
Cheek	LaFleur	Riser
Dorsey	Marionneaux	Shaw
Gautreaux B	McPherson	
Gautreaux N	Morrell	
Total - 19		

NAYS

Mr. President	Duplessis	Mount
Alario	Erdey	Nevers
Appel	Guillory	Quinn
Broome	Jackson	Smith
Claitor	Long	Thompson
Crowe	Martiny	Walsworth
Donahue	Michot	
Total - 20		

ABSENT

Total - 0

The Chair declared the amendments were rejected.

Floor Amendments

Senator Amedee proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Amedee and Hebert to Reengrossed House Bill No. 1033 by Representative Hoffmann

AMENDMENT NO. 1

On page 19, between lines 7 and 8, insert the following: "Section 2. The state superintendent of education and each employee of the Department of Education who makes over one hundred thousand dollars shall be evaluated using the same standards and criteria as teachers and administrators evaluated pursuant to the provisions of this Act."

AMENDMENT NO. 2

On page 19, beginning of line 8, change "Section 2." to "Section 3."

AMENDMENT NO. 3

On page 19, at the beginning of line 10, change "Section 3." to "Section 4."

Senator Amedee moved adoption of the amendments.

Senator Nevers objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux N	Morrish
Amedee	Hebert	Murray
Broome	Heitmeier	Peterson
Chabert	Jackson	Riser
Cheek	Kostelka	Shaw
Dorsey	Marionneaux	
Gautreaux B	Morrell	
Total - 19		

NAYS

Mr. President	Erdey	Nevers
Alario	Guillory	Quinn
Appel	LaFleur	Smith
Claitor	Long	Thompson
Crowe	McPherson	Walsworth
Donahue	Michot	
Duplessis	Mount	
Total - 19		

ABSENT

Martiny
Total - 1

The Chair declared the amendments were rejected.

Motion

Senator Appel moved the previous question on the entire subject matter.

Senator Amedee objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dorsey	Mount
Appel	Duplessis	Nevers
Claitor	Guillory	Quinn
Crowe	Long	Walsworth
Donahue	Martiny	
Total - 14		

NAYS

Adley	Hebert	Morrish
Alario	Heitmeier	Murray
Amedee	Jackson	Peterson
Broome	Kostelka	Riser
Chabert	LaFleur	Shaw
Cheek	Marionneaux	Smith
Erdey	McPherson	Thompson
Gautreaux B	Michot	
Gautreaux N	Morrell	
Total - 25		

ABSENT

Total - 0

The Chair declared the Senate refused to call the previous question on the entire subject matter.

May 26, 2010

Rules Suspended

Senator McPherson asked for and obtained a suspension of the rules to invoke 2 minute cloture.

Without objection, so ordered.

Floor Amendments

Senator Amedee proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Amedee and Hebert to Reengrossed House Bill No. 1033 by Representative Hoffmann

AMENDMENT NO. 1

On page 19, between lines 7 and 8, insert the following: "Section 2. The Louisiana state superintendent of education and every employee of the Department of Education who makes over one hundred thousand dollars shall be evaluated using the same standards and criteria as teachers and administrators evaluated pursuant to the provisions of this Act."

AMENDMENT NO. 2

On page 19, beginning of line 8, change "Section 2." to "Section 3."

AMENDMENT NO. 3

On page 19, at the beginning of line 10, change "Section 3." to "Section 4."

Senator Amedee moved adoption of the amendments.

Senator Nevers objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley, Amedee, Broome, Chabert, Cheek, Dorsey, Gautreaux B, Morrell, Morrish, Murray, Peterson, Riser, Shaw

NAYS

Mr. President, Alario, Appel, Claitor, Crowe, Donahue, Duplessis, Erdey, Guillory, Heitmeier, LaFleur, Long, Martiny, Mount, Nevers, Quinn, Smith, Thompson, Walsworth

ABSENT

Total - 0

The Chair declared the amendments were adopted.

The bill was read by title. Senator Nevers moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Alario, Appel, Claitor, Crowe, Donahue, Duplessis, Guillory, Hebert, Heitmeier, LaFleur, Long, Marionneaux, Martiny, McPherson, Michot, Mount, Nevers, Quinn, Shaw, Thompson, Walsworth

NAYS

Adley, Amedee, Broome, Chabert, Cheek, Dorsey, Erdey, Gautreaux B, Gautreaux N, Jackson, Kostelka, Morrell, Morrish, Murray, Peterson, Riser, Smith

ABSENT

Total - 0

The Chair declared the amended bill was passed and ordered it returned to the House. Senator Nevers moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Mount asked for and obtained a suspension of the rules to revert to the Morning Hour.

Message from the House

HOUSE CONFEREES APPOINTED

May 26, 2010

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 292 by Representative Greene:

Representatives Greene, Gallot and Danahay.

Respectfully submitted, ALFRED W. SPEER, Clerk of the House of Representatives

Introduction of Senate Concurrent Resolutions

Senator Peterson asked for and obtained a suspension of the rules to read Senate Concurrent Resolutions a first and second time.

SENATE CONCURRENT RESOLUTION NO. 93— BY SENATOR PETERSON

A CONCURRENT RESOLUTION To request the Senate Committee on Revenue and Fiscal Affairs, the House Committee on Ways and Means, and the secretaries of the Department of Revenue and Natural Resources to meet as a special committee to study a reform of the income-reporting laws and the various exclusions, exemptions, credits, deductions, and other economic incentives granted by state law to large, multinational conglomerates which engage in offshore

oil and gas exploration and production and to recommend which of those benefits should be modified, reduced, or eliminated.

The resolution was read by title and referred by the President to the Committee on Natural Resources.

SENATE CONCURRENT RESOLUTION NO. 94—
BY SENATOR RISER

A CONCURRENT RESOLUTION

To commend William E. "Ed" Bobbitt upon his retirement after thirty-two years of serving this state and its citizens as a member of the Louisiana State Police.

The resolution was read by title. Senator Riser moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux B	Morrell
Adley	Gautreaux N	Morrish
Alario	Guillory	Mount
Amedee	Hebert	Murray
Appel	Heitmeier	Nevers
Broome	Jackson	Peterson
Chabert	Kostelka	Quinn
Cheek	LaFleur	Riser
Claitor	Long	Shaw
Donahue	Marionneaux	Smith
Dorsey	Martiny	Thompson
Duplessis	McPherson	Walsworth
Erdey	Michot	
Total - 38		

NAYS

Total - 0

ABSENT

Crowe
Total - 1

The Chair declared the Senate adopted the Senate Concurrent Resolution and ordered it sent to the House.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

May 26, 2010

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

- | | | |
|-------------|-------------|-------------|
| HB No. 1324 | HB No. 1487 | HB No. 1055 |
| HB No. 1483 | | |

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

**House Bills and Joint Resolutions
on First Reading**

HOUSE BILL NO. 1055—
BY REPRESENTATIVE RICHMOND
AN ACT

To amend and reenact R.S. 17:221(I) and R.S. 36:649(D), to enact R.S. 17:1871(B)(8) and 3217.1(D), and to repeal R.S. 17:14, relative to adult education; to provide for the school attendance of certain students in adult education programs; to eliminate the division of adult and community education within the Department of Education; to transfer the responsibility for the provision of adult education programs from the State Board of Elementary and Secondary Education to the Board of Supervisors of Community and Technical Colleges and to provide with respect thereto; to provide for the powers, duties, and functions of the Board of Supervisors of Community and Technical Colleges; to provide for an effective date of such transfer; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

HOUSE BILL NO. 1324—
BY REPRESENTATIVE RICHMOND
AN ACT

To repeal R.S. 38:301(C)(2)(e), relative to compensation in expropriation proceedings; and to repeal certain procedures for obtaining compensation in expropriation proceedings.

The bill was read by title and placed on the Calendar for a second reading.

**HOUSE BILL NO. 1483— (Substitute for House Bill No. 1360
by Representative Wooton)**
BY REPRESENTATIVE WOOTON
AN ACT

To amend and reenact R.S. 22:1924(A)(1) and to enact R.S. 22:1924(A)(3), relative to insurance fraud; to provide definitions; to establish penalties for knowingly and willfully committing health care fraud; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

**HOUSE BILL NO. 1487— (Substitute for House Bill No. 1128
by Representative Leger)**
BY REPRESENTATIVE LEGER
AN ACT

To amend and reenact R.S. 17:3981(4), 3982(A)(1)(a), 3983(A)(3)(c), and 3991(B)(14) and to enact R.S. 3991(B)(24) and 3996(B)(24) and (25), relative to charter schools; to provide relative to the duties and responsibilities of the State Board of Elementary and Secondary Education when reviewing and approving a proposed charter; to provide relative to the duties and responsibilities of a local school board when reviewing and approving a proposed charter; to provide relative to charter requirements; to provide relative to certain exemptions granted charter schools from statutory mandates or other statutory requirements that are applicable to public schools; to provide effective dates; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

Messages from the House

The following Messages from the House were received and read as follows:

May 26, 2010

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

May 26, 2010

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

- HCR No. 201 HCR No. 202 HCR No. 203 HCR No. 204

Respectfully submitted, ALFRED W. SPEER Clerk of the House of Representatives

House Concurrent Resolutions

Senator Jackson asked for and obtained a suspension of the rules to read House Concurrent Resolutions a first and second time.

HOUSE CONCURRENT RESOLUTION NO. 201— BY REPRESENTATIVES WADDELL, MORRIS, BURFORD, HENRY BURNS, BURRELL, CARMODY, DOERGE, GALLOT, JANE SMITH, AND WILLIAMS AND SENATORS ADLEY, CHEEK, JACKSON, LONG, AND SHAW

A CONCURRENT RESOLUTION

To commend Forrest Dunn upon his retirement from the Louisiana State Exhibit Museum in Shreveport.

The resolution was read by title. Senator Jackson moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

- Mr. President, Adley, Alario, Amedee, Appel, Broome, Chabert, Cheek, Claitor, Donahue, Dorsey, Duplessis, Erdey, Gautreaux B, Gautreaux N, Guillory, Hebert, Heitmeier, Jackson, Kostelka, LaFleur, Long, Marionneaux, Martiny, McPherson, Michot, Morrell, Morrish, Mount, Murray, Nevers, Peterson, Riser, Shaw, Smith, Thompson, Walsworth

Total - 37

NAYS

Total - 0

ABSENT

- Crowe, Quinn

Total - 2

The Chair declared the Senate concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 202— BY REPRESENTATIVE WILLMOTT

A CONCURRENT RESOLUTION

To urge and request the Healthcare-Acquired Infections Advisory Group to identify the most health-compromising and costly healthcare- acquired infections in Louisiana, to rank them in

order of severity and prevalence, to provide health care providers with strategies to combat healthcare-acquired infections, to determine a cost-effective method to use infection information currently reported to the Centers for Disease Control and Prevention (CDC) and Centers for Medicare and Medicaid Services (CMS) and to provide this information in a manner that allows the public access to this data, and to compile these findings in a written report to be submitted to the House and Senate committees on health and welfare no later than February 1, 2011.

The resolution was read by title. Senator Martiny moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

- Mr. President, Adley, Alario, Amedee, Broome, Chabert, Cheek, Donahue, Dorsey, Duplessis, Erdey, Total - 33, Gautreaux B, Gautreaux N, Hebert, Heitmeier, Jackson, Kostelka, LaFleur, Long, Marionneaux, Martiny, McPherson, Michot, Morrell, Morrish, Mount, Murray, Quinn, Riser, Shaw, Smith, Thompson, Walsworth

Total - 0

NAYS

ABSENT

- Appel, Claitor, Total - 6, Crowe, Guillory, Nevers, Peterson

The Chair declared the Senate concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 203— BY REPRESENTATIVE KATZ

A CONCURRENT RESOLUTION

To memorialize the United States Congress to establish the second Sunday in August as "Spirit of '45 Day" to commemorate the sixty-fifth anniversary of the end of World War II.

The resolution was read by title. Senator Adley moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

- Mr. President, Adley, Alario, Amedee, Appel, Broome, Chabert, Cheek, Donahue, Dorsey, Duplessis, Erdey, Total - 35, Gautreaux B, Gautreaux N, Hebert, Heitmeier, Jackson, Kostelka, LaFleur, Long, Marionneaux, Martiny, McPherson, Michot, Morrell, Morrish, Mount, Murray, Peterson, Quinn, Riser, Shaw, Smith, Thompson, Walsworth

NAYS

Total - 0

ABSENT

Claitor
Crowe
Guillory
Nevers
Total - 4

The Chair declared the Senate concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 204—
BY REPRESENTATIVE HOFFMANN
A CONCURRENT RESOLUTION

To commend the Louisiana State University School of Veterinary Medicine on its accomplishments and contributions and to request that it admit more Louisiana residents who are interested in large animal care to the program and that it report to the legislative education committees by October first each year on its progress.

The resolution was read by title. Senator Walsworth moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Morrell
Adley	Gautreaux B	Morrish
Alario	Gautreaux N	Mount
Amedee	Hebert	Murray
Appel	Heitmeier	Peterson
Broome	Jackson	Quinn
Chabert	Kostelka	Riser
Cheek	Long	Shaw
Claitor	Marionneaux	Smith
Donahue	Martiny	Thompson
Dorsey	McPherson	Walsworth
Duplessis	Michot	
Total - 35		

NAYS

Total - 0

ABSENT

Crowe
Guillory
LaFleur
Nevers
Total - 4

The Chair declared the Senate concurred in the House Concurrent Resolution and ordered it returned to the House.

Rules Suspended

Senator Marionneaux asked for and obtained a suspension of the rules to take up at this time:

**Senate Bills and Joint Resolutions on
Third Reading and Final Passage,
Subject to Call**

Called from the Calendar

Senator Marionneaux asked that Senate Bill No. 500 be called from the Calendar.

SENATE BILL NO. 500—
BY SENATOR MARIONNEAUX
AN ACT

To enact Chapter 55 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3121 through 3124, relative to the Angel Investor Rebate Program; to provide for the purposes; to provide for the amount of the rebate; to provide for the qualifications of the rebate; to provide for the implementation and administration of the program by the Department of Economic Development; to provide for definitions; to provide for rules; to provide for excess unused tax rebates to carry forward to subsequent tax years; to authorize penalties for providing false or fraudulent information; to require an annual report to the legislature; and to provide for related matters.

On motion of Senator Marionneaux Senate Bill No. 500 was read by title, ordered engrossed and passed to a third reading.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

**COMMERCE, CONSUMER PROTECTION
AND INTERNATIONAL AFFAIRS**

Senator Ann D. Duplessis, Chairman on behalf of the Committee on Commerce, Consumer Protection and International Affairs, submitted the following report:

May 26, 2010

To the President and Members of the Senate:

I am directed by your Committee on Commerce, Consumer Protection and International Affairs to submit the following report:

SENATE BILL NO. 272—
BY SENATOR DORSEY
AN ACT

To enact Chapter 2-A of Code Title XII of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3579.1 through 3579.6, relative to the Louisiana Tax Refund Anticipation Loan Act; to provide for legislative intent; to provide for definitions; to provide for fees; to provide for notice; to provide for powers of the commissioner of financial institutions; and to provide for related matters.

Reported by substitute.

HOUSE BILL NO. 206—
BY REPRESENTATIVE FANNIN
AN ACT

To enact R.S. 40:1730.28(A)(3)(f), relative to building codes; to prohibit the adoption of a code or regulation requiring sprinklers in one- and two-family dwellings; to prohibit the adoption of an ordinance requiring sprinklers in one- and two-family dwellings; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 341—
BY REPRESENTATIVE SMILEY
AN ACT

To amend and reenact R.S. 37:683(B)(3), relative to terms for appointments to the Louisiana Professional Engineering and Land Surveying Board ; to provide for a two-year term for one of the licensed professional land surveyor appointees; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 368—

BY REPRESENTATIVE ARNOLD
AN ACT

To enact R.S. 6:969.18(A)(5), relative to fees or expenses charged by an extender of credit; to allow for fees and expenses incurred in connection with the financing of a manufactured home; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 382—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 40:1582(B), relative to emergency elevator access; to require a new elevator installed in a commercial building with five or fewer stories to operate with the fire emergency master key; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 386—

BY REPRESENTATIVE HUTTER
AN ACT

To amend and reenact R.S. 51:935.1(A)(1)(a) and (2), (B)(4)(introductory paragraph), and (E)(1)(a), to enact R.S. 51:935.1(B)(4)(f) through (l) and (6), and to repeal R.S. 51:935.1(A)(3), relative to the Department of Economic Development; to require an annual report; to require the report to be submitted electronically to each member of the Legislature of Louisiana; to require reporting of each local or regional economic development commission participating in the development of prospective businesses; to require the reporting of jobs created and retained; to require the reporting of revenue; to require a listing of successful businesses from fiscal years previously reported; to require the reporting of workers trained to meet needs; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 406—

BY REPRESENTATIVE WADDELL
AN ACT

To amend and reenact R.S. 51:2361(B)(2) and 2365(D) and to enact R.S. 51:2361(B)(3) and (4), relative to certain economic development funds; to provide relative to the reports on expenditures related to such funds; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 449—

BY REPRESENTATIVE NOWLIN
AN ACT

To amend and reenact R.S. 37:687(A), 690(A), 693(B)(4)(a), 697(A), and 698(A)(7) and (10), (D), (E), (F), (G), (K), and (M), 700(D), (E), (F), (G), (K), (M), and (Q) and to enact R.S. 37:700(A)(11), relative to the Louisiana Professional Engineering and Land Surveying Board; to change the name of the executive secretary of the board to the executive director; to provide for a change to minimum requirements for licensure of a land surveyor; to provide for changes to disciplinary and enforcement proceedings by the board; to provide for changes to complaint review committees within the board; to provide for powers and duties of complaint review committees; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 452—

BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 6:969.6(23) and (29), 969.35(A)(2), 969.42, the heading of Part VIII of Chapter 10-B of Title 6 of the Louisiana Revised Statutes of 1950, and 969.51 and to enact R.S. 6:969.6(34) and (35), 969.52, 969.53, and 969.54, relative

to the Louisiana Motor Vehicle Sales Finance Act; to provide for changes in definitions; to provide for new definitions; to provide for debt waiver or debt forgiveness agreements; to provide for requirements of GAP coverage; to provide for liability, disclosures, or cancellations regarding debt waiver or debt forgiveness agreements; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 553—

BY REPRESENTATIVE WADDELL
AN ACT

To enact R.S. 51:2362 and 2366, relative to the Louisiana Mega-Project Development Fund and the Rapid Response Fund; to require the development of uniform accountability reports for the funds; to require for written and electronic forms of a list of cooperative endeavor agreement, name of receiving entity, and the amount of incentive awarded for all projects developed by the funds; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 559—

BY REPRESENTATIVE WADDELL
AN ACT

To enact R.S. 51:2362, relative to the Rapid Response Fund; to provide for mandatory accountability requirements for each legal agreement involving Rapid Response Fund projects; to provide for exemptions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 612—

BY REPRESENTATIVE FOIL
AN ACT

To amend and reenact R.S. 51:911.22(1) and (12) and 911.23(A), and to enact R.S. 51:911.22(13), 911.23(C), and 911.26(F)(10), relative to modular and manufactured homes; to provide for changes to definitions; to provide for a definition of "modular home"; to provide for regulation of modular homes; to provide for additional powers and duties of the commission; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 989—

BY REPRESENTATIVE STIAES
AN ACT

To amend and reenact R.S. 37:1104(A), (B)(1) and (2)(a) and (C), 1110(A)(introductory paragraph), (2), (4), (5), and (7) and (E), 1116(A)(introductory paragraph) and (2), (B)(introductory paragraph) and (1), and 1118 and to repeal R.S. 37:1103(12) and 1120, relative to licensed marriage and family therapists; to provide for an additional member to the Licensed Professional Counselors Board of Examiners; to provide for denial, revocation, or suspension of a licensee; to provide for changes to licensure application for marriage and family therapists; to provide for changes for reciprocity licensure; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1028—

BY REPRESENTATIVE WADDELL
AN ACT

To amend and reenact R.S. 37:563(6), 572(D), 573(B), 574(B), 575(A)(1)(a), 576(B), 578, 583(C), 585(B)(3), 591(A), 594(B)(introductory paragraph) and (5), and 595(A)(3) and (4) and to repeal R.S. 37:591(B)(6), relative to the Louisiana Cosmetology Board; to change the definition of "esthetics"; to clarify the qualifications of board members; to provide for committees within the board; to clarify quorum of the board; to provide for a testing center; to provide for a salary of the executive director of the board; to provide for qualifications of a registered teacher of cosmetology, esthetics, or manicuring; to provide for liability insurance on beauty shops or salons; to

provide for changes to the application for school certificate of registration; to provide for changes to requirements of schools; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1052—

BY REPRESENTATIVE GIROD JACKSON
AN ACT

To enact R.S. 1:61, relative to general provisions of the Revised Statutes of 1950; to provide a uniform definition of a disadvantaged business enterprise; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1053—

BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 40:1664.2(B) and (D), 1664.3(2), (4), (7), (10), (13), (20), (28), (37), (39), (42), (43), (49) through (52), (55), and (57), 1664.4(A) and (D), 1664.5(1), (4), and (11), 1664.6 (B)(introductory paragraph) and (2), (E), (F), (G), and (H), 1664.7(B), (C), (D), and (E), 1664.8(G), 1664.9(A) through (D), (I), and (J), 1664.10(3) and (4), 1664.11(A)(1) and (2)(a), (B)(2) and (3), and (H), 1664.12(3), (8), and (11), 1664.14(A)(5), and 1664.15(A), to enact R.S. 40:1664.3(62) through (66), 1664.6(I), 1664.7(F), 1664.10(8), and 1664.12(12), and to repeal R.S. 40:1664.3(38), relative to the Life Safety and Property Protection Licensing Act; to change the phrase "fire marshal" to "state fire marshal"; to make technical corrections; to provide for definitions; to repeal the definition of "limited locksmith specialist"; to require a license to perform life safety and property protection contracting; to provide for exemptions; to provide for an application process to obtain a firm license; to provide for an application process to obtain an individual license; to establish licensing fees; to provide for multi-year licenses; to provide for the powers and duties of the state fire marshal; to provide for the Life Safety and Property Protection Advisory Board; to provide for prohibited acts; to require the return of the lockout, installer, or programming code of a system to the factory default when a contract for service is cancelled; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1222—

BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 32:1252(27), 1254(A)(19), (B), (C)(introductory paragraph) and (9) and (10), (D)(introductory paragraph) and (7), (E)(7) and (9)(d), (F)(introductory paragraph) and (4), (J)(introductory paragraph) and (5), (L)(introductory paragraph) and (5), and (N), 1255(A), 1261(1)(a)(introductory paragraph) and (i), (b), (d), (e), (g) through (i), (k)(i)(introductory paragraph) and (ii), (n), and (p), (2)(introductory paragraph), (a) through (e), (f)(introductory paragraph), (ii), and (iv), (g), and (i), (3), (4)(a), (b), and (d), (5)(a), (b), and (d), and (7), 1261.1, 1262(A)(1) and (B)(3), 1263, 1264, and 1268(A)(1)(introductory paragraph), (a), and (d), and (2), and (B), to enact R.S. 32:1252(51) and (52) and 1260(E) and (F), and to repeal R.S. 32:1268.1, relative to the Motor Vehicle Commission; to provide for definitions; to provide for changes to licensure for persons licensed by the commission; to provide for changes to licensure requirements; to provide for change to insurance requirements; to provide for additional penalties and relief for the commission; to provide for changes to unauthorized acts of licensee of the commission; to provide for changes to termination requirements of a licensee of the commission; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1278— (Substitute for House Bill No. 575 by Representative Baldone)

BY REPRESENTATIVE BALDONE
AN ACT

To amend and reenact R.S. 30:2419(A)(2) and (3), relative to scrap metal recycling; to authorize the delivery of scrap metal containing fuel tanks to a scrap metal collection and recycling facility; to delete the requirement that persons delivering scrap to these facilities certify that fuel tanks have been removed; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1349—

BY REPRESENTATIVE ARNOLD AND SENATOR MORRISH
AN ACT

To amend and reenact R.S. 4:67(C)(1), relative to boxing and wrestling commissioners; to repeal the maximum amount of compensation a commissioner may receive in certain situations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1380—

BY REPRESENTATIVE LEBAS
AN ACT

To amend and reenact R.S. 37:1479(B), relative to the Louisiana State Board of Home Inspectors; to establish penalties for home inspectors who fail to renew their license within the twelve-month period after expiration; to establish penalties for home inspectors who fail to renew their license within the thirty-six-month period following expiration; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1421—

BY REPRESENTATIVE LANDRY
AN ACT

To amend and reenact R.S. 12:1306(A)(1) and 1309(A)(introductory paragraph) and to enact R.S. 12:1301(A)(21), 1302(C), 1305(B)(3), and 1309(A)(4), relative to limited liability companies; to provide for low-profit limited liability companies; to provide for definitions; to provide for the purpose of low-profit limited liability companies; to provide for articles of organization; to provide for the name of a low-profit limited liability company; to provide for the amendment of articles of organization; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1468— (Substitute for House Bill No. 792 by Representative Richmond)

BY REPRESENTATIVE RICHMOND
AN ACT

To enact R.S. 6:1083(24), (25), and (26) and Part IV of Chapter 14 of Title 6 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 6:1101 through 1104, relative to reverse mortgages; to provide for definitions; to provide for requirements on reverse mortgage loans; to provide for counseling; to provide for rescission of a reverse mortgage loan; to provide for duties for elders regarding reverse mortgage loans; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1472— (Substitute for House Bill No. 1351 by Representative Nowlin)

BY REPRESENTATIVES NOWLIN AND THIBAUT
AN ACT

To amend and reenact R.S. 12:407 and 418(B)(1), relative to certain corporations; to provide with respect to electric cooperatives; to provide relative to dissolution; to provide procedures for

shareholder voting; to provide for mail or proxy voting; to provide for prospective application; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
ANN D. DUPLESSIS
Chairman

Rules Suspended

Senator Mount asked for and obtained a suspension of the rules to recommit a bill.

HOUSE BILL NO. 440—
BY REPRESENTATIVE MILLS
AN ACT

To enact R.S. 37:796(E) and (F), relative to the Louisiana State Board of Dentistry; to establish a deadline for the adoption of rules by the Louisiana State Board of Dentistry; to provide for the removal of board members for the failure to timely adopt rules relating to the provision of dental services at mobile dental clinics and locations other than the dental office; and to provide for related matters.

Senator Mount moved to recommit the bill from the Committee on Commerce, Consumer Protection, and International Affairs to the Committee on Health and Welfare.

Without objection, so ordered.

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

Senator Kostelka, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 26, 2010

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Bills have been properly enrolled:

SENATE BILL NO. 52—
BY SENATOR B. GAUTREAUX
AN ACT

To amend and reenact R.S. 15:574.2(A)(1), relative to the Board of Parole; to provide for minimum qualifications of members; to provide for appointment of members; and to provide for related matters.

SENATE BILL NO. 61—
BY SENATOR AMEDEE
AN ACT

To amend and reenact Code of Criminal Procedure Articles 162, 202(A)(introductory paragraph) and (1), and 731(B) and to enact R.S. 9:2603.1(F), relative to the issuance of warrants and subpoenas; to provide for certain requirements relative to electronic signatures; and to provide for related matters.

SENATE BILL NO. 386—
BY SENATOR CLAITOR
AN ACT

To amend and reenact R.S. 49:222(B)(12), relative to fees chargeable by secretary of state; to provide with respect to special fees; to provide with respect to requests for information which require a written response; and to provide for related matters.

SENATE BILL NO. 451—
BY SENATOR CHEEK
AN ACT

To amend and reenact R.S. 37:3200 and 3208(B) and to enact R.S. 37:3220 and 3221, relative to the Radiologic Technology Board of Examiners; to provide for definitions; to provide for the issuance of permits and for certain clinical experience requirements; and to provide for related matters.

SENATE BILL NO. 666—
BY SENATOR HEBERT
AN ACT

To amend and reenact R.S. 22:243(D)(1) and 251, relative to health maintenance organizations; to provide with respect to the filing of articles of incorporation of health maintenance organizations in the office of the secretary of state; to provide for the retention of original records; and to provide for related matters.

SENATE BILL NO. 667—
BY SENATOR HEBERT
AN ACT

To amend and reenact R.S. 22:1267(A), relative to commercial insurance; to provide with respect to the cancellation and renewal of commercial automobile insurance policies; and to provide for related matters.

SENATE BILL NO. 672—
BY SENATOR HEBERT
AN ACT

To enact R.S. 22:1911, relative to unauthorized insurers; to provide for access to the records of certain insureds by the commissioner of insurance; to provide for penalties; and to provide for related matters.

SENATE BILL NO. 151—
BY SENATOR ADLEY
AN ACT

To amend and reenact R.S. 14:73.1(11), (12), and (13) and to enact R.S. 14:73.1(14) and 73.9, relative to computer aided crime; to prohibit the use of an Internet, virtual, street-level map in the commission of a crime; to prohibit the use of an Internet, virtual, street-level map in the commission or attempted commission of an act of terrorism; to provide for enhanced penalties; to provide for definitions; and to provide for related matters.

SENATE BILL NO. 467—
BY SENATOR LONG
AN ACT

To amend and reenact R.S. 46:285, relative to required training for child protection and foster care workers; to provide for deemed status for certain training; and to provide for related matters.

SENATE BILL NO. 545—
BY SENATOR ERDEY
AN ACT

To amend and reenact R.S. 37:1314(A), relative to the Clinical Laboratory Personnel Committee; to provide with respect to certain conditions required for membership of certain members of the committee; and to provide for related matters.

SENATE BILL NO. 664—
BY SENATOR HEBERT
AN ACT

To enact R.S. 22:1123(E), relative to medical necessity review organizations; to provide for required notifications to the commissioner of insurance upon changes in fact or circumstance; and to provide for related matters.

SENATE BILL NO. 665—
BY SENATOR HEBERT

AN ACT

To repeal R.S. 22:332(A)(5), relative to foreign and alien insurers; to repeal the requirement of filing of policies and applications when applying for a certificate of authority; and to provide for related matters.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

Senator Kostelka, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 26, 2010

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 14—

BY SENATOR N. GAUTREAU
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take necessary actions to promptly consider and pass the New Alternative Transportation to Give Americans Solutions Act of 2009 (H.R. 1835 and S. 1408) and to urge each member of the Louisiana congressional delegation to express their support for the Act by becoming a cosponsor.

SENATE CONCURRENT RESOLUTION NO. 23—

BY SENATOR N. GAUTREAU
A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to remove the financial eligibility requirements for patients stricken with amyotrophic lateral sclerosis to be approved to receive Medicaid.

SENATE CONCURRENT RESOLUTION NO. 55—

BY SENATOR WALSWORTH
A CONCURRENT RESOLUTION

To authorize and direct the Department of Public Safety and Corrections to imprint "Louisiana Bicentennial 1812-2012" on the license plates for private passenger motor vehicles and to issue such plates not later than January 3, 2011, through December 31, 2012, or until the Department of Public Safety and Corrections depletes its inventory of such plates.

SENATE CONCURRENT RESOLUTION NO. 89—

BY SENATOR MURRAY
A CONCURRENT RESOLUTION

To urge and request Louisiana law firms, law departments, and courts to execute the Louisiana State Bar Association Statement of Diversity Principles.

SENATE CONCURRENT RESOLUTION NO. 91—

BY SENATOR BROOME
A CONCURRENT RESOLUTION

To recognize May 2010 as National Skin Cancer Awareness Month.

SENATE CONCURRENT RESOLUTION NO. 92—
BY SENATOR BROOME

A CONCURRENT RESOLUTION

To declare October 1, 2010, as World Peace Day in the state of Louisiana.

Respectfully submitted,
ROBERT W. "BOB" KOSTELKA
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

Message to the Governor

SIGNED SENATE BILLS

May 26, 2010

To the Honorable Governor of the State of Louisiana:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Bills:

SENATE BILL NO. 3—

BY SENATOR MARTINY
AN ACT

To amend and reenact R.S. 13:5107(D)(2), relative to service of citation and process; to clarify dismissal of a suit for failure to request service; and to provide for related matters.

SENATE BILL NO. 303—

BY SENATOR LONG
AN ACT

To enact R.S. 37:2804(K), relative to the powers and duties of the Louisiana Board of Chiropractic Examiners; to provide for the power to enter into certain transactions involving immovable property; to provide for the authority of the board to borrow funds; and to provide for related matters.

SENATE BILL NO. 412—

BY SENATOR DONAHUE
AN ACT

To enact Part XI-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:332.1, relative to property control; to create the State Buildings and Lands Highest and Best Use Advisory Group; to provide for duties and responsibilities; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 214—

BY SENATOR MOUNT AND REPRESENTATIVE KATZ
AN ACT

To amend and reenact R.S. 37:793(G) and to enact R.S. 37:793(B)(5), relative to the administration of nitrous oxide inhalation analgesia; to provide for the administration of nitrous oxide inhalation analgesia by certain dental hygienists; to provide for a permit; and to provide for related matters.

SENATE BILL NO. 514—

BY SENATOR MURRAY
AN ACT

To amend and reenact R.S. 40:1299.44(A)(2), (5), and (6) and (D)(1)(c) and (2)(b)(iii), relative to the Patient's Compensation Fund and the Patient's Compensation Fund Oversight Board; to provide with respect to exemption of the board and fund from rate regulation by the commissioner of insurance; to provide relative to the annual surcharge, including the manner of its determination; to provide relative to retention of monies in the fund; to provide with respect to composition of the board and to otherwise provide with respect to its authority; and to provide for related matters.

May 26, 2010

SENATE BILL NO. 46—
BY SENATOR APPEL

AN ACT

To amend and reenact Code of Civil Procedure Article 4907(B), relative to procedure in parish and city courts; to provide relative to the delay for applying for a new trial; and to provide for related matters.

SENATE BILL NO. 77—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 48:2074 (D)(2),(6) and (7), relative to the Louisiana Transportation Authority; to provide that the chairman of the Senate Committee on Transportation, Highways and Public Works and the chairman of the House Committee on Transportation, Highways and Public Works shall rotate as chairman of the board; and to provide for related matters.

SENATE BILL NO. 196—
BY SENATOR MOUNT AND REPRESENTATIVE KATZ

AN ACT

To amend and reenact R.S. 46:1403(A)(2) and 1404(B) and to enact R.S. 46:1403(A)(11) and to repeal Chapter 15 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:1451 through 1459, relative to child-placing agencies; to expand the definition of a child-placing agency; to provide for licensure of transitional youth residences as child-placing agencies; to provide an exemption to licensure of child-placing agencies operated by the Department of Social Services; and to provide for related matters.

SENATE BILL NO. 374—
BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 15:529.1(G), relative to the habitual offender law; to provide for imprisonment at hard labor for persons sentenced under the habitual offender law; and to provide for related matters.

SENATE BILL NO. 617—
BY SENATOR MCPHERSON

AN ACT

To enact R.S. 32:392.1, relative to motor vehicles; to prohibit impoundment in certain circumstances; and to provide for related matters.

SENATE BILL NO. 98—
BY SENATORS MARTINY AND DUPLESSIS

AN ACT

To amend and reenact R.S. 37:1788(B)(2) and to enact R.S. 37:1788(B)(3), relative to pawnbrokers; to provide for change in ownership of pawnshops under certain circumstances; and to provide for related matters.

SENATE BILL NO. 168—
BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 8:606(B) and (C), and 706 and to enact R.S. 8:1(22.1) and 606(D), relative to cemeteries; to provide for commencement and completion requirements of mausoleums or similar structures; to provide for commencement and the completion requirements of improvements on undeveloped cemetery property; and to provide for related matters.

SENATE BILL NO. 198—
BY SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 32:707.2(C)(2) and (3), and to enact R.S. 6:969.18(A)(5) and R.S. 32:707.2(H), relative to electronic lien and title services; to authorize financial institutions to charge consumer fees in connection with motor vehicle transactions; and to provide for related matters.

SENATE BILL NO. 291—
BY SENATOR DONAHUE

AN ACT

To amend and reenact R.S. 37:2171.2(B) and to enact R.S. 37:2171.2(C), relative to requirements for building permits; to require nonresident contractors to provide certain additional information prior to issuance of a permit; and to provide for related matters.

SENATE BILL NO. 404—
BY SENATOR DONAHUE

AN ACT

To enact R.S. 39:248, relative to state government services; to provide for the development of a long term plan to create regional governmental service centers; to provide for the submission of the plan to the Joint Legislative Committee on the Budget for approval; to provide for annual updating of the plan; and to provide for related matters.

SENATE BILL NO. 415—
BY SENATOR MICHOT

AN ACT

To enact R.S. 51:1427, relative to deceptive or unfair trade practices or acts; to prohibit a person from selling or offering to sell computer software products which the person has developed or manufactured, or services that the person develops or supplies, while knowingly using stolen or misappropriated computer software; to provide for sanctions; and to provide for related matters.

SENATE BILL NO. 484—
BY SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 6:263, relative to capital, surplus, and dividends of state banks; to provide relative to state bank dividends and stock purchased or redeemed; to require capital surplus; and to provide for related matters.

SENATE BILL NO. 540—
BY SENATOR WALSWORTH

AN ACT

To amend and reenact R.S. 8:306, relative to the dedication of cemetery property; to provide for legislative intent; to provide for the protection of unmarked human burial sites; to provide for notice; and to provide for related matters.

SENATE BILL NO. 616—
BY SENATOR MCPHERSON

AN ACT

To enact R.S. 32:61(A)(3) and R.S. 32:63(C); and to repeal R.S. 32:62, relative to speed limits on highways of this state; to authorize increases of the maximum speed on highways; and to provide for related matters.

and they are hereby presented for executive approval.

Respectfully submitted,
GLENN A. KOEPP
Secretary of the Senate

Message from the House

**SIGNED HOUSE BILLS AND
JOINT RESOLUTIONS**

May 26, 2010

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Bills and Joint Resolutions:

HOUSE BILL NO. 13—

BY REPRESENTATIVE HOFFMANN
AN ACT

To amend and reenact R.S. 32:41(A)(13) and to enact R.S. 32:41(A)(14), relative to local governmental subdivision authority over traffic control on nonstate maintained roadways; to authorize local governmental subdivisions to install speed bumps on such roadways; and to provide for related matters.

HOUSE BILL NO. 63—

BY REPRESENTATIVE GEYMAN
AN ACT

To authorize and provide for the transfer or lease of certain state property in Calcasieu Parish to Sidney J. and Sherilyn M. Cormier from the division of administration; and to provide for related matters.

HOUSE BILL NO. 70—

BY REPRESENTATIVE GEYMAN
AN ACT

To enact Subpart B-4-A of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.81 through 130.83, relative to the Wards 4 and 6 Economic Development Board in Beauregard Parish; to establish the board; to provide for appointment of members to the board; to provide the powers and duties of the board; and to provide for related matters.

HOUSE BILL NO. 81—

BY REPRESENTATIVES SAM JONES AND MILLS AND SENATOR HEBERT
AN ACT

To amend and reenact R.S. 56:796(A) and (B)(1), relative to the Lake Fausse Point and Grand Avoille Cove Advisory Board; to provide relative to membership of the board; to provide with respect to jurisdiction over Lake Dauterive; and to provide for related matters.

HOUSE BILL NO. 96—

BY REPRESENTATIVE RICHARD
AN ACT

To enact R.S. 47:463.141, relative to motor vehicle special prestige license plates; to provide for the creation and issuance of such plates; to provide for the design of such plates; to provide relative to the fee and application of the fee for such plates; to authorize the promulgation of rules and regulations; and to provide for related matters.

HOUSE BILL NO. 144—

BY REPRESENTATIVE GEYMAN
AN ACT

To enact R.S. 33:3812(I), relative to waterworks districts in Beauregard Parish; to authorize the parish to create commissioner districts within Waterworks District No. 3; to provide a definition of commissioner districts; to provide for representation on the board of commissioners; and to provide for related matters.

HOUSE BILL NO. 313—

BY REPRESENTATIVE GARY SMITH
AN ACT

To amend and reenact R.S. 3:2772(E)(introductory paragraph) and (G)(introductory paragraph), relative to kennel licenses; to provide for license fees; and to provide for related matters.

HOUSE BILL NO. 515—

BY REPRESENTATIVE PEARSON
AN ACT

To amend and reenact R.S. 11:108(B)(3), (C), and (F), relative to the Firefighters' Retirement System, the Municipal Employees' Retirement System, and the Municipal Police Employees' Retirement System, provides for the organization, governance, administration, and membership of the Funding Review Panel charged with studying the funding and benefit provisions of such systems; to provide with respect to election of a chairman for such panel; to provide for reporting requirements; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 517—

BY REPRESENTATIVE ROBIDEAUX
AN ACT

To amend and reenact R.S. 11:62(5)(c) and to repeal R.S. 24:36(E), relative to the Louisiana State Employee's Retirement System; to provide for the employee contribution rate of the clerk and sergeant at arms of the Louisiana House of Representatives and the secretary and sergeant at arms of the Louisiana Senate; to provide for the employee contribution rate of legislators, the governor, lieutenant governor, and certain other elected officials; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 518—

BY REPRESENTATIVE ROBIDEAUX
AN ACT

To amend and reenact R.S. 11:403(1), relative to the Louisiana State Employee's Retirement System; to provide for the definition of "accumulated contributions"; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 587—

BY REPRESENTATIVE GARY SMITH
AN ACT

To authorize and provide for the transfer or lease of certain state property in St. Charles Parish to the Pontchartrain Levee District from the Department of Transportation and Development; and to provide for related matters.

HOUSE BILL NO. 646—

BY REPRESENTATIVE BROSSETT
AN ACT

To enact R.S. 38:330.1(C)(2)(a)(xi), relative to the Southeast Louisiana Flood Protection Authorities; to add a member to the nominating committee; and to provide for related matters.

HOUSE BILL NO. 670—

BY REPRESENTATIVES HENRY, BILLIOT, GISCLAIR, GIROD JACKSON, LABRUZZO, LIGI, LOPINTO, AND WILLMOTT AND SENATORS APPEL, MARTINY, AND MORRELL
AN ACT

To amend and reenact R.S. 33:9611(A), 9612, and 9613(D) and (E)(2) and (5), relative to local ethics entities; to provide for the creation and administration of local ethics entities by certain parishes; to provide for the powers of local ethics entities; and to provide for related matters.

HOUSE BILL NO. 746—

BY REPRESENTATIVE ROBIDEAUX
AN ACT

To amend and reenact R.S. 11:441(A)(1)(d), relative to the Louisiana State Employees' Retirement System; to provide for calculation of benefits for persons electing early retirement; to provide for different calculation methods depending upon whether such persons are in service at the time of retirement; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 874—

BY REPRESENTATIVES HARRISON, DOVE, AND ST. GERMAIN AND SENATOR N. GAUTREAUX
AN ACT

To amend and reenact R.S. 56:10(B)(7)(a) and (D), 103(C)(1), 103.1(B)(1), 153, the heading of Subpart A-2 of Part IV of Chapter 1 of Title 56, 164(A) and (B)(introductory paragraph), 165, and 649.1(A) and to repeal R.S. 56:152, 154, 161, 162, and 163, relative to the issuance of stamps for hunting wild turkey and duck; to change the name of the wild turkey stamp to the wild turkey "license"; to provide for a distinction between "duck stamp" and "duck license"; to provide for fees associated with the purchase of duck stamps and issuance of duck licenses; and to provide for related matters.

May 26, 2010

HOUSE BILL NO. 1126—
BY REPRESENTATIVE POPE

AN ACT

To amend and reenact R.S. 11:1521(A) and (C) and 1530(K)(2)(a), relative to the Clerks' of Court Retirement and Relief Fund; to provide for retirement eligibility and calculation of retirement benefits for persons whose system membership begins on or after January 1, 2011; to provide for calculation of benefits for post-Deferred Retirement Option Plan participation; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 1142—
BY REPRESENTATIVE ROBIDEAUX

AN ACT

To amend and reenact R.S. 11:539(A)(1) and to enact R.S. 11:441(G), 502.3(D), 538.1, and 538.2; relative to the Louisiana State Employees' Retirement System; to provide for conformity and compliance with qualified plan provisions of the Internal Revenue Code; to provide for limitations on contributions to a plan; to provide relative to the reversion of funds to employers; to provide for rollovers of distributions; to require the distribution of certain information relative to such rollover distributions; to provide an effective date; and to provide for related matters.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

ATTENDANCE ROLL CALL

PRESENT

Mr. President	Erdey	Michot
Adley	Gautreaux B	Morrell
Alario	Gautreaux N	Morrish
Amedee	Guillory	Mount
Appel	Hebert	Murray
Broome	Heitmeier	Nevers
Chabert	Jackson	Peterson
Cheek	Kostelka	Quinn
Claitor	LaFleur	Riser
Crowe	Long	Shaw
Donahue	Marionneaux	Smith
Dorsey	Martiny	Thompson
Duplessis	McPherson	Walsworth
Total - 39		

ABSENT

Total - 0

Announcements

The following committee meetings for May 27, 2010, were announced:

Education	At Adj	Hainkel Rm
Finance	1:00 P.M.	Room A
Labor & Ind. Relations	At Adj	Room C
Local & Mun. Affairs	At Adj	Room F
Natural Resources	At Adj	Room A
Transportation	At Adj	Room E

Adjournment

On motion of Senator Thompson, at 6:20 o'clock P.M. the Senate adjourned until Thursday, May 27, 2010, at 9:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:00 o'clock A.M. on Thursday, May 27, 2010.

GLENN A. KOEPP
Secretary of the Senate

DIANE O' QUIN
Journal Clerk